

and circulation of same through the mails; to the Committee on the Post Office and Post Roads.

By Mr. GERRY: Petitions of Epworth League of Methodist Episcopal Church of East Greenwich, R. I.; Phillips Memorial Church, of Cranston, R. I.; Harry F. Fairchild; Frances Willard Class of Tabernacle Methodist Episcopal Church; Pearl Street Baptist Church; Delta Alpha Class of Tabernacle Methodist Church; Epworth League of Washington Park Methodist Episcopal Church; Washington Park Methodist Episcopal Church; Washington Park Sunday School, of Providence, R. I.; William H. Fido; United Baptist Church of Providence, R. I.; Swedish Congregational Church and Sunday School of Cranston, R. I.; Warwick Central Baptist Church; Hills Grove Methodist Episcopal Church, of Warwick, R. I.; Congregational Church of River Point, R. I.; Second Hopkinton Seventh-day Church, of Hopkinton, R. I.; First Congregational Church; Pawcatuck Seventh-day Baptist Church; L. D. B. Sabbath School, of Westerly, R. I., urging the passage of legislation providing for national prohibition; to the Committee on Rules.

Also, petition of Branch 399, Catholic Knights of America, urging the protection of Catholic sisters and priests in Mexico; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Resolutions favoring national prohibition from the King's Daughters, of Woonsocket, R. I.; the Berkeley Methodist Episcopal Church, of Berkeley, R. I.; the Zion Primitive Methodist Church, of Pascoag, R. I.; the Laurel Hill Methodist Episcopal Church, of Bridgeton, R. I.; the Young People's Society Christian Endeavor, of Slatersville, R. I.; Trinity Baptist Church, Providence, R. I.; the Friends Sunday school, Woonsocket, R. I.; to the Committee on Rules.

Also, petitions favoring national constitutional prohibition from the Washington Park Methodist Episcopal Church, of Providence, R. I.; the Epworth League, Washington Park Methodist Episcopal Church, of Providence, R. I.; the Sunday school, Washington Park Methodist Episcopal Church, of Providence, R. I.; C. W. Calder, of Providence, R. I.; E. Louise King, of Central Falls, R. I.; William H. Fido, of Providence, R. I.; Miss M. Estelle Newell, of Central Falls, R. I.; the First Congregational Church of Chespachet, R. I.; the Epworth League of Laurel Hill Methodist Church, of Bridgeton, R. I.; the Arnold Mills Methodist Episcopal Church, of Arnold Mills, R. I.; the Sunday school of the Methodist Church, of Bridgeton, R. I.; the Broad Street Baptist Church, of Central Falls, R. I.; the Quarterly Conference Primitive Methodist Church, of Lonsdale, R. I.; and J. Henry Weaver, of Central Falls, R. I.; to the Committee on Rules.

Also, petition of members of the Catholic Knights of America, relative to protection for the Catholic priests and sisters in Mexico; to the Committee on Foreign Affairs.

Also, petitions of the Methodist Episcopal Church of Mapleville, R. I.; the Park Place Congregational Church, of Pawtucket, R. I.; Rev. James E. Springer, of Providence, R. I.; James Cranshaw, of Barrington, R. I.; E. M. Cranshaw, of Barrington, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. LEVY: Petition of German-Irish demonstration at Chicago December 1, 1914, favoring observance of strict neutrality by United States Government; to the Committee on Foreign Affairs.

Also, petition of Western Association of Short Line Railroads, relative to House bill 17042, the Moon railway mail pay bill; to the Committee on the Post Office and Post Roads.

Also, petition of Philip Hiss, of New York, favoring proper armament for national protection; to the Committee on Military Affairs.

By Mr. MOTT: Petition of citizens of Manchester, N. Y., and Madison County, N. Y., favoring national prohibition; to the Committee on Rules.

Also, petition of Chamber of Commerce of Washington, D. C., relative to an American merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Board of Trade of Washington, D. C., relative to Johnson amendment to District of Columbia appropriation bill; to the Committee on the District of Columbia.

Also, petition of citizens of Carthage, N. Y., favoring national prohibition; to the Committee on Rules.

By Mr. O'SHAUNESSY: Petitions of sundry church organizations of Providence and Newport, R. I., favoring national prohibition; to the Committee on Rules.

By Mr. RAINY: Petition of 1,052 residents of the twentieth congressional district of Illinois, favoring national prohibition; to the Committee on Rules.

Also, petition of 46 churches and church organizations in the twentieth congressional district of Illinois, favoring national prohibition; to the Committee on Rules.

By Mr. SMITH of Idaho: Papers to accompany House bill 19072, to increase the pension of Minor M. Webb; to the Committee on Invalid Pensions.

By Mr. THACHER: Memorial of Pleasant Street Methodist Episcopal Church and Sunday School, of New Bedford, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. TUTTLE: Petition of official board of First Methodist Episcopal Church, of Westfield, N. J., and Methodist Episcopal Churches at Plainfield, German Valley, and Chester, N. J., favoring national prohibition; to the Committee on Rules.

By Mr. WALTERS: Petition of citizens of Johnstown and 186 citizens of Meckinsburg, Pa., favoring national prohibition; to the Committee on Rules.

By Mr. WILLIS: Petition of First Methodist Sunday School of Findlay, Ohio, favoring national prohibition; to the Committee on Rules.

Also, petition of the Retail Merchants' Association of Bellefontaine, Ohio, in favor of the adoption of House joint resolution 372, providing for a national security commission; to the Committee on Rules.

SENATE.

WEDNESDAY, December 16, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at the beginning of a new legislative day we desire to record Thy name and to acknowledge our allegiance to Thee. Thou art the Supreme Ruler of the universe. We can not annul Thy commandments or stay Thy hand or thwart Thy purpose. Thou art the author of our liberty. Thou art the giver of every good and perfect gift. If we know not Thy way, we know not the path of progress. If we are not obedient to Thy will, we can not guide into the path of happiness. So we pray that with humble spirit we may walk in Thy way and do Thy commandments as Thou hast revealed them to us. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes:

In the cause of Alla L. Bryant, daughter and sole heir of Stephen L. Bartholomew, deceased, *v. The United States* (S. Doc. No. 658);

In the cause of William R. Brink *v. The United States* (S. Doc. No. 642);

In the cause of Jane Pemberton, widow of Richard Pemberton, deceased, *v. The United States* (S. Doc. No. 643);

In the cause of Minnie L. Benson, widow of George R. Benson, *v. The United States* (S. Doc. No. 644);

In the cause of Mary E. Rowell, Clara T. Dillon, children, and Florence O. Robertson, Grace O. McMahon, Edward F. Overn, and Caroline A. Overn, grandchildren, sole heirs of John J. Overn, deceased, *v. The United States* (S. Doc. No. 645);

In the cause of Sallie Neal Bartol, one of the heirs of John E. Awbrey, deceased, *v. The United States* (S. Doc. No. 646);

In the cause of P. W. Chelf, administrator of Andrew J. Bailey, deceased, *v. The United States* (S. Doc. No. 647);

In the cause of Alvin C. Austin, executor of Henry E. Austin, deceased, *v. The United States* (S. Doc. No. 648);

In the cause of Arowline Ball, widow of Henry C. Ball, deceased, *v. The United States* (S. Doc. No. 649);

In the cause of Laura V. Gaines, widow (remarried) of Oliver L. Baldwin, deceased, *v. The United States* (S. Doc. No. 650);

In the cause of Turner Anderson *v. The United States* (S. Doc. No. 651);

In the cause of John H. Brewster *v. The United States* (S. Doc. No. 652);

In the cause of John T. Harris, executor of Thomas M. Harris, deceased, *v. The United States* (S. Doc. No. 653);

In the cause of Clinton L. Barnhart *v. The United States* (S. Doc. No. 654);

In the cause of Wesley L. Bandy *v. The United States* (S. Doc. No. 655);

In the cause of Ossian Ward and John H. Ward, executors of John E. Ward, *v. The United States* (S. Doc. No. 656); and

In the cause of Sarah A. Bailey, widow of Gustavus Bailey, deceased, *v. The United States* (S. Doc. No. 657).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the Governor of Arizona, certifying that on the 3d day of November, 1914, Hon. MARCUS A. SMITH was chosen by the electors of Arizona a Senator from that State for the term of six years beginning on the 4th day of March, 1915, which was read and referred to the Committee on Privileges and Elections.

He also laid before the Senate the credentials of LAWRENCE Y. SHERMAN, chosen by the electors of the State of Illinois a Senator from that State for the term of six years beginning on the 4th day of March, 1915, which were read and referred to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 19545) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (No. 55) providing for an adjournment of the two Houses of Congress from Wednesday, December 23, 1914, to Tuesday, December 29, 1914, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of Charles E. Peaslee, of Gonic; of the Prentice Bros., of Winchester; of the congregation of the First Free Baptist Church, of Laconia; of F. W. Jackson, superintendent of schools, of Whitefield; and of the congregation and the Sunday School of the Methodist Church of Chesterfield, all in the State of New Hampshire, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. TOWNSEND presented a memorial of Subordinate Lodge, No. 597, International Brotherhood of Boiler Makers and Iron Ship Builders and Helpers of America, of Escanaba, Mich., remonstrating against the enactment of legislation to change the present method of inspection of locomotive boilers, etc., which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Washington Avenue Methodist Episcopal Church, of Port Huron, Mich., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. THOMPSON presented petitions of members of the Friends' Sunday School of Haviland, the Christian Sunday School of Lyons, and the Baptist Sunday School of Belpre, all in the State of Kansas, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the appointment of a national marketing commission, which was referred to the Committee on Public Health and National Quarantine.

He also presented a memorial of Stereotypers and Electrotypers Local Union, No. 58, of Los Angeles, Cal., remonstrating against national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of Aerie No. 1076, Fraternal Order of Eagles, of Alameda, Cal., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

Mr. GRONNA. I present a telegram in the form of a petition from Mrs. G. W. Hanna, secretary of the Woman's Christian Temperance Union of Valley City, N. Dak., with reference to the prohibition amendment now pending before the Senate. I ask that it be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

VALLEY CITY, N. DAK., December 14, 1914.

Senator A. J. GRONNA,
Washington, D. C.:

At the request of the Woman's Christian Temperance Union of Valley City, the Protestant churches, both American and foreign speaking, took a vote on the question of national constitutional prohibition, which resulted 800 strong for the same.

Mrs. G. W. HANNA,
Secretary Woman's Christian Temperance Union.

Mr. SHEPPARD. I ask to have three telegrams read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The telegrams were read, as follows:

YOAKUM, TEX., December 14, 1914.

Hon. MORRIS SHEPPARD of RICHMOND HOBSON,
Washington, D. C.:

The Protestant Pastors' Association of Yoakum, Tex., urges the Texas Representatives in Congress to vote for the proposed amendment to the National Constitution providing for nation-wide prohibition.
C. P. CRAIG, Secretary.

BARTLETT, TEX., December 14, 1914.

Hon. MORRIS SHEPPARD,
Washington, D. C.:

Three churches heartily indorse Sheppard-Hobson bill for national constitutional amendment now before Congress. A vast majority of another church in line. We commend you for the effort, and wish for victory.

HOMER A. MCCARTY,
Pastor Central Christian Church.
J. B. BERRY,
Methodist Episcopal Church.
J. C. RHODES,
Baptist Church.
J. F. MCKENZIE,
Presbyterian Church.

DONNA, TEX., December 14, 1914.

Hon. MORRIS SHEPPARD,
Washington, D. C.:

Each of the organized churches in Donna—Methodist, Christian, Presbyterian, and Baptist—voted unanimously yesterday urging on Congress the passage of the Sheppard-Hobson bill.

B. E. SHEPPARD.

THE MERCHANT MARINE.

Mr. FLETCHER. I am directed by the Committee on Commerce to report back favorably, with amendments, the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, and I submit a report (No. 841) thereon. I ask to have the amendments read, and I shall file a more complete report on the bill at a later day.

The VICE PRESIDENT. The amendments will be read.

The SECRETARY. The amendments proposed are as follows:

On page 2, line 4, after the word "States," insert the following: "or to charter vessels for such purposes and to make charters or leases of any vessel or vessels owned by such corporation to any other corporation, firm, or individual, to be used for such purposes: *Provided*, That the terms and conditions of such charter parties shall first be approved by the shipping board."

Page 4, line 14, after the comma and the word "islands," insert the words "the Hawaiian Islands."

Page 5, lines 5 and 6, strike out the words "vessels purchased or constructed under the provisions of this act and."

Page 5, line 10, after the word "vessels," insert the words "belonging to the War Department, suitable for commercial uses and not required for military transports in time of peace, and vessels."

Page 5, lines 14 and 15, strike out the words "or to any other corporation or corporations now or hereafter organized."

Mr. FLETCHER. I also ask for a reprint of the bill with the amendments indicated.

Mr. BURTON. On account of the confusion in this part of the Chamber I have been unable to hear the Senator from Florida.

Mr. FLETCHER. I ask for a reprint of the bill with the amendments reported by the committee to be indicated in the reprint.

The VICE PRESIDENT. That is the usual order, of course, of the Senate. It will be done.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 16392) to better regulate the serving of licensed officers in the merchant marine of the United States and to promote safety at sea, reported it without amendment and submitted a report (No. 840) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 6957) to establish the board of university regents of the District of Columbia, and defining its duties; to the Committee on the University of the United States.

A bill (S. 6958) granting a pension to Emma Perkins (with accompanying papers); and

A bill (S. 6959) granting an increase of pension to Lucy W. Osborne; to the Committee on Pensions.

By Mr. HUGHES:

A bill (S. 6960) granting an increase of pension to John C. Simpson; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6961) granting an increase of pension to Theodore M. Burge; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 6962) to better provide for the care and protection of property furnished by the United States for the use of the Organized Militia;

A bill (S. 6963) to increase the efficiency of the United States Army by creating an Army transportation reserve corps;

A bill (S. 6964) to increase the number of officers in the Signal Corps of the United States Army;

A bill (S. 6965) to increase the efficiency of the Regular Army of the United States and to provide a reserve force of enlisted men;

A bill (S. 6966) to authorize the maintenance of organizations of the mobile army at their maximum strength and to provide an increase of 1,000 officers;

A bill (S. 6967) to increase the authorized strength of the Coast Artillery Corps of the Army; and

A bill (S. 6968) to increase the efficiency of the Army of the United States by creating a reserve of officers, and for other purposes; to the Committee on Military Affairs.

By Mr. DU PONT:

A bill (S. 6969) granting an increase of pension to Aquilla M. Hizar; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 6970) to amend "An act to protect the birds and animals in Yellowstone National Park, and to punish crimes in said park, and for other purposes," approved May 7, 1894; to the Committee on the Judiciary.

By Mr. BURLEIGH:

A bill (S. 6971) granting an increase of pension to Addie M. Higgins; to the Committee on Pensions.

CENTRAL DISPENSARY AND EMERGENCY HOSPITAL.

Mr. SMOOT submitted an amendment proposing to appropriate \$50,000 toward the construction of a new building for the Central Dispensary and Emergency Hospital erected on the site purchased and owned by the hospital, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 19422), which was referred to the Committee on Appropriations and ordered to be printed.

GEN. ANSON MILLS, MEXICAN BOUNDARY COMMISSIONER.

Mr. THOMAS. Mr. President, last March I took occasion to address the Senate on Senate joint resolution 117, in which I made some references to Gen. Anson Mills, then a member of the Mexican Boundary Commission. In July following a letter was read into the Record, at the request of the Senator from New York [Mr. Root], from Gen. Mills, relating to that subject, to which I at the time made some response. A result of that episode has been some correspondence between Gen. Mills with the State Department and myself. I ask unanimous consent to have the correspondence printed in the Record.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

WASHINGTON, D. C., December 5, 1914.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

SIR: I beg to refer to your remarks in the Senate on July 20, 1914, by way of rejoinder to my letter to Senator Root.

Your frank and fair statement, "If I shall have given or shall give utterance to anything that is offensive, I shall, if it proves to be incorrect or unwarranted, at all times be ready to make due reparation" (p. 13480), encourages me to hope that if I lay before you directly certain facts and suggestions in addition to those set forth in my letter to Senator Root you may see your way, after investigation, to withdraw the remarks contained in your speech in the Senate of last March, in so far as they reflect upon my personal honesty or official integrity.

You say that before making your speech of last March you "availed yourself of almost every known avenue of information." In view of this statement, I feel justified in again calling your attention to the fact that Dr. Boyd's charges, which you appear to have substantially adopted, have already been several times investigated by competent officers of the Department of State, and once by Chief Wilkie, of the Secret Service, and have uniformly been found to be wholly groundless and unworthy of credence. The reports of these officers, I have no doubt, are either on file with the State Department or the department could advise you where they are filed. I can not believe that you have examined them.

To this I may add that I was informed by Mr. Gaines, the present secretary of the International Boundary Commission, since the delivery of your original speech, that the Boyd charges have again been investigated by the present Solicitor of the Department of State, Mr. Cone Johnson, and that he, too, has made a report fully exonerating me in the premises.

Turning again to your rejoinder, you say:

"Mr. President, Gen. Mills does not contradict many of my facts; he confines himself to denying the justice of my conclusions, and particularly as they concern his own conduct" (p. 13479).

Of course, in so far as your statement of facts consisted in a reading from the official documents—as it did in large part—there was no possibility of an issue of fact between us. I closed my letter to Senator Root, however, with the following statement: "I assert the absolute honesty and integrity of each and every one of my official and personal acts, and stand ready at all times to vindicate my integrity before any competent tribunal" (p. 13426). By this I meant to challenge in the most sweeping and emphatic terms each and every allegation

or inference in your speech which directly or by implication affected my personal honor or official integrity, irrespective of whether or not I was able to touch upon all these matters specifically in the course of a necessarily brief communication intended to appear in the CONGRESSIONAL RECORD. Moreover, I did specifically challenge certain of your statements of fact, and I desire again to direct your attention to two of these issues of fact so joined—one because of its fundamental importance and the other because it has become important on account of the nature of your rejoinder.

The first and fundamental issue is raised by my unequivocal denial that I had anything to do with the treaty of 1906 or that I ever approved the construction of the Government dam at Engle. (See RECORD, p. 13425.) You do not notice this denial in your rejoinder, and yet, so far as I can see, your case against me appears to rest very largely upon inferences which you draw from my assumed inconsistency in favoring the Government dam at Engle, after having opposed the Boyd dam at Elephant Butte—an inconsistency which does not exist, since I did not favor either one in any way whatsoever.

Whatever you may have which you may consider in the nature of evidence—I do not mean argument based on inference—to support your charge of dishonest motives on my part, obviously I can not answer it, for I do not know what it is.

The second issue of fact to which I desire to call your attention was in its original form comparatively unimportant. Merely as an incident to your main attack upon me, you charged me in your March speech with "waste and prodigality" in the expenditure of the Chamizal appropriation, of which, according to your information, I had the disbursement and control. In my reply I denied that I had anything whatever to do with the disbursement or control of the Chamizal appropriation, to which you say in your rejoinder of July 20:

"Gen. Mills also declares that he had nothing to do with the expenditure of the appropriation of \$50,000 for the Chamizal arbitration, which I criticized. That may be so. My information comes, however, from the State Department, and until I am satisfied of its incorrectness I shall insist that my statements are in accord with the facts" (p. 13479).

This rejoinder makes this matter, in my opinion, important. I am not mistaken, and I could hardly be honestly mistaken, as to whether or not I controlled or disbursed the \$50,000 Chamizal appropriation in 1911. And yet the Department of State, which you invoke in support of your original statement, is presumably in a position to speak authoritatively in the premises.

I was in the West at the time of your remarks of July 20, but as soon as possible thereafter, namely, August 16, I wrote the Department of State, calling the department's attention to the issue between us with respect to the disbursement and control of the Chamizal appropriation and asking for an official statement, based on the records of the department, as to whether or not I disbursed or controlled said appropriation.

I inclose herewith copies of my somewhat protracted correspondence with the department. I believe that a perusal thereof will leave you in no doubt as to the real situation.

Toward the close of your rejoinder you offer to waive your constitutional immunity from suit for remarks spoken in the Senate and assume responsibility for your statements in all respects, as though you had been in a private capacity. I have consulted counsel as to this offer, and have been advised that it is, to say the least, very doubtful whether you can waive your constitutional privilege. Besides, I am not seeking to pursue a Senator, but to protect and defend in the most direct way my honor as an officer and a gentleman.

I therefore make the following counter proposition: I ask you to reread your speech of last March carefully in the light of this letter, to examine the official reports to which I have referred herein, and to consider each and every allegation which you made against me, even by implication or innuendo, which involves more than mere error of judgment on my part, and search your heart as to whether you still really believe them to be true. And where you can conscientiously do so I ask you to withdraw them and make the amends you so honorably propose. Should you, however, after this reconsideration, still find acts of mine which you deem unbecoming an officer and a gentleman, I ask that you state them clearly in an official communication to The Adjutant General of the Army, sending me a copy of this communication, to the end that I may request a court of inquiry, under article 115 of the Articles of War, a Federal court not inferior as a forum for the trial of questions of honor to any other authorized by the Constitution and laws of the United States.

I further request—something which I have no doubt your own sense of justice would suggest in any event—that in case you are unable fully to acquit me of all conduct unbecoming an officer and a gentleman and have occasion again to refer to this matter in the Senate, as you suggest you intend to do, you ask to have this letter and its inclosures printed in the RECORD to accompany your remarks.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

DECEMBER 15, 1914.

Gen. ANSON MILLS, Washington, D. C.

MY DEAR SIR: I am in receipt of your letter of the 5th instant with inclosures and relating to some references to yourself in my speech of March last in support of Senate joint resolution No. 117. I have at spare intervals of time since your letter to Senator Root appeared in the RECORD reexamined some of my sources of information, that I might retest the accuracy of my statements.

With regard to the treaty of 1906, your statement that you had nothing to do with it is surprising in view of your negotiations and labors conjointly with Señor Osorno under the concurrent resolution of 1890, leading up to the framing of a proposed treaty for the construction of an international dam at El Paso, shortly previous to the ratification of the treaty of 1906 having reference to the same general subject matter. The terms of the treaty of 1906 are, of course, different, although quite as obnoxious to the interests of my State as that which you probably assisted in formulating; but if you did not negotiate nor approve of it, you are to be acquitted of responsibility for same.

With regard to the disbursement and control of the Chamizal appropriation of 1911, I did you an injustice, and take pleasure in retracting the statements I made in that connection concerning you. The explanation is that you were made, I think in December, 1893, the disbursing officer of the previous appropriation under the treaty of 1889. Under that treaty you were required in 1894 to consider, and did consider, the Chamizal case, but the commissioners, of which you were one, failed to agree. This necessitated the Chamizal treaty of

1911, under which the appropriation, some of whose terms of disbursement I criticized, was made.

I originally examined the contracts and vouchers representing the disbursements of these appropriations at the same time, and inasmuch as they related to the same subject I incorrectly assumed them to have been made by the same authority. I also assumed these documents to have belonged to the State instead of the Treasury Department. I should not have charged you with any responsibility for the disbursements of the Chamizal appropriations of 1911, and will read this letter into the CONGRESSIONAL RECORD in correction thereof.

Very respectfully, yours,

C. S. THOMAS.

CORRESPONDENCE BETWEEN GEN. MILLS AND THE DEPARTMENT OF STATE.
[Gen. Mills to the Secretary of State.]

EASTERN POINT, GLOUCESTER, MASS.,
August 16, 1914.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to inclose herewith a copy of the CONGRESSIONAL RECORD for March 27, 1914, containing (pp. 5984-6006) a speech of Senator THOMAS, of Colorado, delivered in the Senate March 23 and 24; a copy of the CONGRESSIONAL RECORD of July 18, 1914, containing (pp. 13424-13426) a letter which I wrote to Senator ROOT, dated June 25, 1914, replying to Senator THOMAS, together with a statement of my military record, both of which were inserted in the CONGRESSIONAL RECORD on the request of Senator ROOT; and a copy of the CONGRESSIONAL RECORD of July 20, 1914, containing (pp. 13479-13480) some remarks of Senator THOMAS, made in the Senate, July 20, by way of rejoinder to my letter to Senator ROOT.

The department will observe that Senator THOMAS attacks the entire course of the United States Government and the Department of State during the past quarter of a century with regard to the equitable distribution of the waters of the Rio Grande, and that he is particularly severe in his animadversions upon my conduct in that connection as Mexican boundary commissioner and in other official capacities under the general direction of the Department of State.

The merits of Senator THOMAS's charges are sufficiently discussed in my letter to Senator ROOT. But I wish to call the department's attention to the fact that Senator THOMAS in his rejoinder invokes the Department of State as his authority for certain of his statements. In my letter to Senator ROOT I say:

"Toward the close of the Senator's speech (RECORD, p. 6002) he states that if he is 'correctly informed' I 'disbursed and controlled' the \$50,000 appropriation for the Chamizal arbitration; and he thereupon proceeds to criticize (most unjustly, as I am advised) an item of expenditure out of this appropriation. The Senator has not been correctly informed. I neither disbursed nor controlled this appropriation nor a single penny thereof." (RECORD, July 18, p. 13425.)

To this Senator THOMAS made the following response in his remarks of July 20:

"Gen. Mills also declares that he had nothing to do with the expenditure of the appropriation of \$50,000 for the Chamizal arbitration which I criticized. That may be so. My information comes, however, from the State Department, and until I am satisfied of its incorrectness I shall insist that my statements are in accord with the facts." (RECORD, July 20, p. 13479; italics mine.)

Here the Senator uses language which, when read in connection with its context, can only be interpreted as an assertion on his part that either the Department of State or some responsible official thereof had informed him that I had the disbursement and control of the \$50,000 appropriation for the arbitration of the Chamizal case. Inasmuch as the Senator's "information" is not only wholly erroneous, but is absolutely contradicted by the records of the department, I can only conclude that Senator THOMAS must be in some way mistaken as to its source.

It is absolutely immaterial, so far as I am concerned, whether Senator THOMAS's criticism of an item of expenditures of the Chamizal appropriation is well or ill founded. I was in no wise responsible for this expenditure. I am entitled to show this, and leave Senator THOMAS to debate the merits of his criticism thereof with those who may be interested in that subject. And I respectfully submit that I am entitled to show this by the best evidence and the only evidence which will be satisfactory to Senator THOMAS, namely, a statement from the Department of State itself as to what its records show in the premises.

In justice to me, therefore, and in view of the unquestionable facts as they appear on the records of the department, and in order that Senator THOMAS may be satisfied as to the incorrectness of his statement, and may therefore be enabled, if he so desires, to correct it, I respectfully request the department to write me a letter advising me of the fact that the records of the Department of State show that I neither disbursed nor controlled the disbursement of the \$50,000 appropriation for the arbitration of the Chamizal case or any part thereof. I have the honor to be, sir,

Your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

[Assistant Secretary Osborne to Gen. Mills.]

DEPARTMENT OF STATE,
Washington, August 23, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
Eastern Point, Gloucester, Mass.

SIR: Your letter of the 16th instant was not brought to my attention until yesterday.

In reply I have the honor to inform you that since Mr. John Wesley Gaines, the present secretary of the International Boundary Commission (United States and Mexico), has by direction of the department recently had occasion to examine all of the papers on file in connection with the Chamizal case, it has been deemed advisable to have him furnish in detail the information you desire.

Mr. Gaines is at present out of the city, but immediately upon his return your request will be given prompt attention.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary.

[Gen. Mills to the Secretary of State.]

WASHINGTON, D. C., October 16, 1914.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to refer to my letter of August 16 last, in which I inclosed to the department copies of the CONGRESSIONAL RECORD of March 27, July 18, and July 20, 1914, containing respectively a speech of Senator THOMAS, of Colorado, delivered in the United States Senate on March 23 and 24, 1914, in which he criticized the whole policy of the United States for the last quarter of a century with regard to the equitable distribution of the waters of the Rio Grande, and particularly my official conduct in that connection; a letter which I wrote Senator ROOT, dated June 25, 1914, replying to Senator THOMAS; and a rejoinder by Senator THOMAS to my letter.

I called the department's attention more especially to the discussion between Senator THOMAS and myself in so far as it related to a criticism which he made in the course of his speech of an item of expenditure of the appropriation for the arbitration of the Chamizal case. Senator THOMAS said in his original speech that if he was "correctly informed," I "disbursed and controlled" this appropriation. In my reply I denied having had anything to do with disbursing or controlling this appropriation or any part thereof, and Senator THOMAS in his rejoinder, while stating his readiness to make due reparation for any statement of his which should prove to be incorrect, asserted (mistakenly I must assume) that his "information" with respect to my connection with the Chamizal appropriation came from "the State Department," and said that until he was satisfied of "its incorrectness" he would insist that his statements were "in accordance with the facts."

In my letter to the department I pointed out that the Senator's information was not only wholly erroneous but absolutely contradicted by the records of the department, and in order that Senator THOMAS might be satisfied as to the actual facts by the best evidence and the only evidence which apparently he would be willing to accept, I respectfully requested the department to write me a letter "advising me of the fact that the records of the Department of State show that I neither disbursed nor controlled the disbursement of the \$50,000 appropriation for the arbitration of the Chamizal case or any part thereof."

My letter was acknowledged, under date of August 28, by the Assistant Secretary of the department, who informed me that my letter had only been brought to his attention the day before, and that inasmuch as Mr. Gaines, the present secretary of the International Boundary Commission (United States and Mexico), had recently had occasion to examine all the papers on file in connection with the Chamizal case, it had been deemed advisable to have Mr. Gaines furnish in detail the information which I desired. Mr. Osborne further stated that Mr. Gaines was at that time out of the city, but that upon his return my request would be given prompt attention.

Of course, it is peculiarly and absolutely within the discretion of the department to determine who shall verify by examination of the official records the statement which I have requested the department to make. Moreover, it is a matter of entire indifference to me who makes this examination, provided it is seasonably and accurately made and the result thereof is officially communicated to me by the department. Nevertheless, I deem it proper that I should point out that the information which I have requested pertains to a departmental matter, and in no wise concerns the accounts or business of the International Boundary Commission (United States and Mexico), of which commission Mr. Gaines is now the secretary for the United States. And as I am anxious to obtain the statement requested as soon as possible, I venture furthermore to suggest that if it is not convenient for Mr. Gaines to take the matter up at this time, the information necessary to verify the statement I have requested could be obtained from a very brief examination of the appropriate records by any of the officers or clerks of the department familiar with the general departmental accounting system.

I am sorry to trouble the department again in this matter, particularly at a time when I realize that there are so many important questions demanding its attention, but since Senator THOMAS's statement as it now stands appears to tax me on the alleged authority of the Department of State with a misstatement as to whether or not I disbursed or controlled the disbursement of a \$50,000 appropriation—a matter as to which I could hardly be honestly mistaken—and inasmuch as Senator THOMAS has indicated his willingness to make reparation for his statement on being convinced that he is mistaken, I respectfully request that the department furnish me the statement which I have requested at the earliest practicable moment.

Very respectfully,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

[Assistant Secretary Osborne to Gen. Mills.]

DEPARTMENT OF STATE,
Washington, October 20, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
2 Dupont Circle, Washington, D. C.

SIR: Referring further to your letter of August 15, I beg to state that the papers on file in the department disclose the following facts:

1. That in the latter part of 1893 you were appointed the American commissioner of the International Boundary Commission (United States and Mexico), authorized by the treaty of March 1, 1889; and that on December 12, 1893, you were designated as special disbursing officer of the American section of that commission, and filled both offices until your resignation, June 30, 1914.

2. That in 1894 the "Chamizal case" arose and was referred to this commission, composed, under said treaty, of an American commissioner (Gen. Anson Mills) and a Mexican commissioner (F. Javier Osorno), and this commission failed to "agree" on the "differences" or questions involved.

3. The preamble of the treaty proclaimed January 25, 1911, between Mexico and the United States recites that "The United States of America and the United States of Mexico, desiring to terminate, in accordance with the various treaties and conventions now existing between the two countries, and in accordance with the principles of international law, the differences which have arisen between the two Governments as to the international title to the Chamizal tract, upon which the members of the International Boundary Commission have failed to agree, and having determined to refer these differences to the

said commission, established by the convention of 1889, which for this case only shall be enlarged as hereinafter provided, have resolved to conclude a convention for that purpose," which provides:

"ART. 2. The difference as to the international title of the Chamizal tract shall be again referred to the International Boundary Commission, which shall be enlarged by the addition, for the purposes of the consideration and decision of the aforesaid difference only, of a third commissioner, who shall preside over the deliberations of the commission. This commissioner shall be a Canadian jurist and shall be selected by the two Governments by common accord."

Thus "enlarged," the International Boundary Commission again tried this Chamizal case in 1911, the commissioners then acting being Brig. Gen. Anson Mills, Señor Don Fernando Beltrán Y. Puga, and E. J. Lafleur, the "third commissioner," added by article 2 just quoted.

By the Diplomatic and Consular act approved March 3, 1911, the Congress of the United States appropriated \$50,000 to continue the work of the International Boundary Commission (United States and Mexico), authorized by the treaty of March 1, 1889, aforesaid, and also appropriated \$50,000 "for the expenses of the arbitration of the international title to the Chamizal tract." Of the former \$50,000 you were the special disbursing officer, but you were not the special disbursing officer of the latter \$50,000 thus supplied; but another citizen was such officer, and you are so advised.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary of State.

[Gen. Mills to the Secretary of State.]

WASHINGTON, D. C., October 24, 1914.

The honorable the SECRETARY OF STATE.

SIR: I have the honor to acknowledge the receipt of the department's letter of October 20, 1914 (signed by the Assistant Secretary), with reference to certain information which I requested under date of August 16, last, in connection with an issue between Senator THOMAS, of Colorado, and myself as to whether or not I disbursed and controlled the \$50,000 appropriation for the arbitration of the Chamizal case.

After reciting various well-known antecedent facts as to which there is no dispute, the department says:

"By the Diplomatic and Consular act approved March 3, 1911, the Congress of the United States appropriated \$50,000 to continue the work of the International Boundary Commission (United States and Mexico), authorized by the treaty of March 1, 1889, aforesaid, and also appropriated \$50,000 'for the expenses of the arbitration of the international title to the Chamizal tract.' Of the former \$50,000 you were the special disbursing officer, but you were not the special disbursing officer of the latter \$50,000 thus supplied, but another citizen was such officer and you are so advised."

Of course no question had been raised with respect to the regular annual appropriation of \$50,000 to continue the work of the International Boundary Commission, the issue between Senator THOMAS and myself as to this matter being, as I pointed out to the department in my former letters, simply whether or not I disbursed and controlled the \$50,000 appropriation for the arbitration of the Chamizal case, the Senator having criticized specifically an item of expenditure of that appropriation. Senator THOMAS correctly states the issue and my position upon it in his rejoinder, quoted in my letter to the department of August 16, when he says: "Gen. Mills declares that he had nothing to do with the expenditure of the appropriation of \$50,000 for the Chamizal arbitration, which I criticized."

While I understand the delicacy of the department's position when called upon to give information with respect to a matter in controversy, I submit, with all deference to the department's judgment as to what fairness requires, that this mingling of unsought information with respect to matters not in dispute with the information requested tends unduly to destroy the usefulness of the department's letter in clearing up the very simple point with respect to which I have requested an authoritative statement based upon its records.

Moreover, while I recognize that the department's letter does contain a statement that the records show that I did not disburse the \$50,000 appropriation for the arbitration of the Chamizal case, it leaves unanswered the more important question at issue between Senator THOMAS and myself, as to which I also requested a statement from the department in my letters of August 16 and October 16, namely, whether I controlled the disbursement of this appropriation. I say more important because Senator THOMAS's criticism was apparently directed not so much at the mere clerical matter of disbursement as at the alleged "waste and prodigality" which he said characterized the disbursement, and for which, if they in fact existed, of course those who controlled the disbursement, and not the disbursing officer, were responsible.

I therefore again have the honor to request the department to advise me that the records of the department show that I did not control the disbursement of this appropriation.

And since, in order that the information furnished me by the department may be conveniently available for use, it is desirable that it should all be contained in one instrument, instead of being distributed through a considerable correspondence, I respectfully suggest that the department's compliance with my request take the form of a letter which shall comprise a statement of the fact that the records of the Department of State show that I neither disbursed nor controlled the disbursement of the \$50,000 appropriation for the arbitration of the Chamizal case (i. e., the appropriation carried by the Diplomatic and Consular act of March 3, 1911, "for the expenses of the arbitration of the international title to the Chamizal tract"), or any part thereof.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

[Assistant Secretary Osborne to Gen. Mills.]

DEPARTMENT OF STATE,
Washington, November 9, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
2 Dupont Circle, Washington, D. C.

SIR: In answer to your letter of October 24 last, in which you ask to be advised that the records of the department show that you did not control the disbursement of the \$50,000 appropriated by the diplomatic and consular act of March 3, 1911, for the expense of the arbitration

of the international title to the Chamizal tract, you are advised that the record of the disbursement of this fund, so far as disbursed, shows that you were not the special disbursing officer of it, but that another citizen served as such officer, and you were so informed in the department's letter of October 20 last.

You are now further advised that the only papers on file in the department indicating the manner in which the money supplied by the above mentioned appropriation was expended, are the vouchers covering the several items of expenditure, which are signed by a disbursing officer other than yourself.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary of State.

[Gen. Mills to the Secretary of State.]

WASHINGTON, D. C., November 13, 1914.

The honorable the SECRETARY OF STATE.

SIR: I am in receipt of the Department's letter of November 9, signed by the Assistant Secretary, covering a statement of what the department's files show with respect to my controversy with Senator THOMAS, as to whether or not I disbursed or controlled the appropriation for the arbitration of the Chamizal case.

The department, in addition to repeating the assurance contained in its letter of October 20 last, that I was not the special disbursing officer of the appropriation in question—in other words, that I did not disburse the appropriation or any part thereof—makes the following statement in response to my repeated inquiry as to what the records show as to whether or not I controlled the disbursement of the appropriation or any part thereof:

"You are now further advised that the only papers on file in the department indicating the manner in which the money, supplied by the above-mentioned appropriation, was expended, are the vouchers covering the several items of expenditure, which are signed by a disbursing officer other than yourself."

I must confess my surprise at the statement that the departmental files show nothing except the vouchers covering the items of expenditure with reference to the control of the disbursement of an appropriation required by statute "to be expended under the direction of the Secretary of State."

Moreover, I can not quite understand what seems to me to be the implication of the department's statement that the vouchers covering the appropriation in question are signed only by the disbursing officer as such (said officer being other than myself). From my acquaintance with governmental accounting during my many years of service, I supposed that each voucher would also bear on its face the name of the officer (also other than myself) under whose direction and control the particular expenditure in question was incurred; otherwise I hardly see how these vouchers were passed by the proper accounting officers.

I do not, however, desire to trouble the department for any further statement on this point at this time, since it appears to me that the negative statement contained in the department's letter is in the particular circumstances of this case ample for the immediate purpose I have in view, and I have no doubt Senator THOMAS will agree with me.

Senator THOMAS criticized an item of expenditure of the Chamizal appropriation, and said that, according to his "information," I had the disbursement and control of that appropriation. I thereupon denied having anything to do with the disbursement or control of that appropriation. The Senator replied that while I might be right he would maintain his position until he was convinced he was wrong, because his "information" came from the Department of State.

It now appears from the department's statement, in its letter of November 9, giving it the strictest possible interpretation, first, that its records show that I did not disburse the appropriation as alleged; second, that there is nothing in the department's records to indicate that I controlled the disbursement thereof.

Under these circumstances I believe that I am in a position to take the matter in question up with Senator THOMAS, taking advantage of his frank offer to make amends in case he was in error on any point, and call upon him to withdraw his statement that I disbursed the Chamizal appropriation, and to withdraw his statement that I controlled the disbursement thereof, unless, now that the department has failed him, he can produce some other evidence to contradict my unqualified statement made, of course, upon my personal knowledge, and easy to disprove if it were not true, that I did not control said disbursement.

I have felt compelled to assume that the Senator must have been in some way mistaken in thinking his information came from the department. But in view of his explicit statement on the floor of the Senate, and in view of the course which my correspondence with the department has taken, I feel that before taking this matter up with Senator THOMAS I ought to request the department to inform me whether or not the Senator has been misled in this matter by some inadvertent statement from the department or some responsible officer thereof. If he has been so misled, I can not in justice blame him for relying on such high authority, and my attitude toward him as respects this issue must in fairness be modified accordingly.

I have no desire to make unnecessary trouble about an inadvertent error by whomsoever it may have been committed. I realize that such errors are constantly made by everyone. I merely desire to set myself straight on the record with respect to a matter as to which I have been most unjustly assailed.

I therefore appeal to the department as a matter of fairness to all parties—to the Senator, to the department, to myself, and even to the public, which has an interest in small as well as large matters relating to official conduct—to tell me frankly whether the Senator's attack upon me for alleged waste and prodigality in the expenditure of the Chamizal appropriation was based upon any inadvertent statement emanating from the department or any responsible officer thereof inconsistent with the official statement which the department has now given me, that I did not disburse this appropriation, and that there is nothing in the files of the department to show that I controlled the disbursement of any part thereof.

I should appreciate an early reply, as I desire to take this matter up promptly with Senator THOMAS.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

[Gen. Mills to the Secretary of State.]

No. 2 DUPONT CIRCLE,
Washington, D. C., December 3, 1914.

The honorable the SECRETARY OF STATE.

SIR: I beg to refer to previous correspondence, and particularly to my letter of November 13 last.

Senator THOMAS, in the course of a speech in the Senate last March in connection with a serious attack upon my official integrity, charged me with waste and prodigality in the expenditure of the Chamizal appropriation, and said that he would in the near future "dissect the disbursement of these appropriations more extensively."

I denied, in a letter to Senator ROOR, having anything to do with the appropriation in question. Senator THOMAS replied that while this might be so his information came from the State Department, that he should maintain its correctness until satisfied he was wrong, and that he should later on "take up the Mills' letter in extenso."

In view of all this, I have through correspondence for nearly four months past, assiduously endeavored to obtain an official statement from your department that I neither disbursed nor controlled the Chamizal appropriation. And having obtained a statement that I did not disburse said appropriation, but failing to obtain more than a mere negative statement with respect to the control of the disbursement thereof, I then, in my letter of November 13, endeavored as a last resort to clear up the misunderstanding under which Senator THOMAS is evidently laboring, by ascertaining whether or not he could have been misled by any inadvertent statement from the department.

I have as yet received no answer to my letter of November 13, but inasmuch as Congress meets on next Monday, I deem it proper that I should on that date send Senator THOMAS copies of my correspondence with the Department of State to date, in order that when he recurs to this matter he may have before him such information as I have been able to obtain from the State Department in my lengthy correspondence.

I am, sir, your obedient servant,

ANSON MILLS,
Brigadier General, United States Army (Retired),
Late Mexican Boundary Commissioner.

DEPARTMENT OF STATE,
Washington, December 9, 1914.

ANSON MILLS,
Brigadier General, United States Army (Retired),
2 Dupont Circle, Washington, D. C.

SIR: Replying to your letters of November 13 and December 3, 1914, the department begs to advise you that it does not know the source of any information Senator THOMAS may have had as a basis for the alleged statement concerning your connection with the Chamizal appropriation. He will, no doubt, be pleased to furnish you, upon request, any information which you may desire on this subject.

I am, sir, your obedient servant,

JOHN E. OSBORNE,
Assistant Secretary of State.

REPORT OF LINCOLN MEMORIAL COMMISSION.

Mr. MARTIN of Virginia. Mr. President, I ask unanimous consent to have printed Senate Document 965 (62d Cong., 3d sess.), which is the Lincoln Memorial Commission report. It has been printed once, but the copies are exhausted, and the chairman of the commission, ex-Senator Blackburn, says there is a great demand for it, and he would like to have it printed. I ask unanimous consent that it may be printed.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I should like to call attention to the fact that if the request is granted then copies of the reprint of this document will be sent to all the libraries. I do not believe that is what the Senator from Virginia wishes. If he will modify his request by asking that 1,500 copies be printed for the use of the Senate they will then be for the use of those who desire them and will not be sent around to all the libraries again.

Mr. MARTIN of Virginia. There should be some copies for the use of the commission.

Mr. SMOOT. The commission can get them very easily.

Mr. MARTIN of Virginia. I am satisfied that 1,500 copies will be an abundance.

Mr. GALLINGER. Before this matter is disposed of I wish to ask the Senator from Utah if when a reprint is made other copies are sent to the libraries and to the departments, they having been once supplied? It seems to me that it is absurd to do that.

Mr. SMOOT. It is absurd, but, in fact, they are sent that way.

Mr. FLETCHER. If the Senator from Virginia will ask for a print as a Senate document that will cover it.

Mr. SMOOT. I suggest that 1,500 copies be printed for the use of the Senate.

Mr. FLETCHER. Then they will go to the document room instead of to the folding room.

Mr. SMOOT. Of course, if they are printed for the use of the Senate, they will go to the document room. If they go to the folding room, then, of course, there will be only two copies for each Senator; but if printed for the use of the Senate, they go to the document room and as many as are desired can be obtained for the commission.

Mr. MARTIN of Virginia. It is perfectly agreeable to me to modify the request, and I ask that 1,500 copies be printed for the use of the Senate document room.

Mr. JONES. What is the document?

Mr. MARTIN of Virginia. It is the report of the Lincoln Memorial Commission.

Mr. JONES. If they go to the document room, then the first Senators who send there get the document.

Mr. MARTIN of Virginia. I do not suppose any Senator will want a great supply of them. It is just to supply the requests he may have.

Mr. JONES. We have requests from all over the country for such a document. I have a great many requests for such documents, and often when I go to get them I find that the supply is exhausted.

Mr. MARTIN of Virginia. These requests come to the commission. Ex-Senator Blackburn, the chairman of the commission, has had a great many requests for copies, and they are unable to supply the demand. My object is simply to have the document printed. I do not suppose there will be any trouble as to the distribution. If they go to the document room, every Senator will get an abundant supply of them if 1,500 copies are printed.

Mr. JONES. I will not object at this time, but if I have the same experience with this document that I have had with other documents I shall probably object hereafter to such a proceeding.

The VICE PRESIDENT. The Chair hears no objection, and it is so ordered.

SALE AND SHIPMENT OF COTTON.

Mr. CULBERSON. Mr. President, I present in the form of a memorial a letter from the governor of Texas addressed to the Senators from Texas. I ask that it be read and referred to the Committee on Commerce.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

GOVERNOR'S OFFICE,
Austin, Tex., December 12, 1914.

Hon. CHARLES A. CULBERSON,
Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

GENTLEMEN: I have been discussing with Hon. F. C. Welner, formerly State senator and until recently secretary of state, now general manager of the Permanent Warehouse System of Texas, conditions affecting the price of cotton. He has made a careful inquiry, and writes me the result of his investigations, as follows:

DECEMBER 12, 1914.

Hon. O. B. COLQUITT,
Governor of Texas, Capitol.

DEAR GOVERNOR: Since accepting the position of general manager of the Permanent Warehouse System and Cooperative Marketing Bureau, established by law, I have found conditions which I think have a direct bearing upon the constant decline in the price of cotton.

Some time ago the belligerent nations now at war with each other agreed with our Government that cotton should not be treated as a contraband of war. This news was received with great satisfaction throughout the South, for the reason that it was thought that a market would be established for the South's greatest product. The result of this agreement was that cotton advanced immediately and simultaneously with this news.

Since then, however, and especially recently, the price has again declined and continues to decline because shipments to the European Continent are hampered by an inadequate understanding between all foreign Governments and ours.

According to reports only two cargoes of cotton have left American ports for the European Continent since this lamentable war began. Each of these cargoes left our shores under great difficulties. The last cargo, according to newspaper reports, left New York on yesterday, after an agreement with the shipowners that the ship should pass through the Straits of Dover on its way to Germany and be subjected to a thorough inspection for contraband of war. This is some concession, and if this course is pursued it would create a better market than at present.

The restrictions, however, that have been in force have necessarily increased rates of shipping and maritime insurance to that extent that exportation of cotton has become practically impossible, hence the market can not be supplied that is now open to the people of the South.

I understand that the cargo of cotton which left Galveston was sold to Germany at the delivered price of 18 cents a pound, while middling cotton is quoted at 6½ cents in Texas; thus you will see that there is a margin of practically 12 cents difference between the price of cotton in Texas and the price at which it is delivered abroad. This great margin between the price established and the price at which it is delivered is sufficient for anyone to appreciate the difficulties that exist between the buyer and the seller of this product.

I respectfully suggest for your consideration that you, as governor of the State of Texas, appeal to the Federal Government for a more satisfactory understanding and method by which the South's greatest product may be exported.

It seems to me that the Federal Government could supervise the loading of cotton and see that the proper clearance certificates would be given to the departing ships, and, if required, an officer of the Federal Government accompany such cargo to its point of destination, and that such an arrangement with the Federal Government would practically insure all the belligerent nations that no contraband of war was carried in these cargoes.

This or a similar plan might be acceptable to the foreign nations in order to insure the good faith of those who are engaged in the shipping industry. At any rate, I think an attempt should be made to facilitate and improve the present methods, as they are now practically prohibitory.

I realize that you are fully aware of the distressing conditions that are now prevalent not only throughout the great State of Texas but

throughout the entire South, and that you will give the matter such consideration as you think is to the best interests of our people. Believe me, to be

Sincerely, yours,

F. C. WEINERT,
General Manager.

I am writing you both to suggest the importance of urging the immediate passage of laws by Congress which will insure a supply of ships to carry our cotton to the nations that are now so badly in need of it. Senator Weinert understands that cotton which can be shipped to Germany is now bringing 18 cents per pound in that country.

The price of cotton would be greatly increased, in my opinion, if Congress would enact laws for insuring the cargoes and for the securing of ships to carry the cotton to the nations of Europe, who are so much in need of it. Bills for this purpose were pending in the recent special session of Congress, and I urge the importance of definite action on them. I shall be glad to hear from you.

Yours, truly,

O. B. COLQUITT, Governor.

Mr. CULBERSON. I ask that the letter be referred to the Committee on Commerce.

The VICE PRESIDENT. It will be so referred.

STANDING COMMITTEES OF THE SENATE.

The VICE PRESIDENT. Morning business is closed.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

Mr. JONES. If the Senator from Missouri will withhold the motion for just a moment, I desire to say that I had announced that I would submit some remarks this morning on Senate resolution 398 and Senate joint resolution 163. The Senator from Missouri, however, is anxious to proceed with executive business in connection with the safety-at-sea convention, and I yield to him for that purpose. But I desire to give notice that I shall address the Senate to-morrow after the routine morning business or at some other convenient time.

EXECUTIVE SESSION.

Mr. STONE. I am very much obliged to the Senator.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 2 hours and 15 minutes spent in executive session the doors were reopened.

REGULATION OF IMMIGRATION.

Mr. SMITH of South Carolina. Mr. President, I presume that automatically, an executive session having intervened and been concluded, the unfinished business will now come before the Senate. However, I move that the Senate proceed to the consideration of the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The pending amendment will be stated.

The SECRETARY. In section 2, page 2, line 18, after the name "United States," the Committee on Immigration reported to insert "except that with respect to an alien accompanied by his wife, child, or children said tax shall be \$4 for each such alien, wife, and child."

To the committee amendment Mr. O'GORMAN has moved as an amendment to strike out, in lines 18 and 19, the words "an alien accompanied by his," and to insert the word "the"; and after the word "child," in line 18, to insert the words "of an alien."

Mr. SMITH of South Carolina. There is also an amendment submitted by the Senator from Minnesota [Mr. NELSON].

The PRESIDING OFFICER. The amendment submitted by the Senator from Minnesota and referred to by the Senator from South Carolina will be stated.

The SECRETARY. In lieu of the amendment as proposed to be amended, Mr. SMITH of South Carolina offers, in behalf of Mr. NELSON, the following amendment:

Provided, That children under 15 years of age who accompany their father or their mother shall not be subject to said tax.

The PRESIDING OFFICER. The question is on the adoption of the amendment to the amendment offered by the Senator from Minnesota [Mr. NELSON].

Mr. REED. One moment, Mr. President.

Mr. SMITH of South Carolina. Several members of the committee have had the amendment proposed by the Senator from Minnesota under consideration, and in their judgment it meets the requirements of the case and may offer a possible solution of the difficulty.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from South Carolina has temporarily withdrawn the committee amendment?

Mr. SMITH of South Carolina. I have agreed to accept the amendment as proposed by the Senator from Minnesota as a

substitute for the committee amendment; but, of course, the matter will have to be put to a vote of the Senate.

The PRESIDING OFFICER. The question, then, is upon the adoption of the amendment offered by the Senator from Minnesota.

Mr. GALLINGER. How will the text read if that amendment is agreed to? I ask that it may be stated.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. If amended as proposed, the text would read:

SEC. 2. That there shall be levied, collected, and paid a tax of \$6 for every alien, including alien seamen, regularly admitted as provided in this act, entering the United States: *Provided*, That children under 16 years of age who accompany their father or their mother shall not be subject to said tax. The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. REED. Mr. President, in view of the fact that the Senator from New York [Mr. O'GORMAN] offered an amendment touching this same section, and because he is absent, I take the liberty of reserving the right for further amendment in the Senate with reference to this matter. I do so simply in order to preserve the rights of the Senator from New York.

Mr. SMITH of South Carolina. Mr. President, it is not necessary to comment any further on that matter, except to say that the amendment proposed by the Senator from Minnesota was exactly in line with the amendment proposed by the Senator from New York; but the committee thought that this was a clearer and better form in which to express it.

Mr. REED. I have no doubt that is correct, but I make the reservation out of abundance of caution.

The PRESIDING OFFICER. The Senator from Missouri, on behalf of the Senator from New York, reserves the right to move to amend the bill in the Senate.

Mr. GRONNA. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Dakota will be stated.

The SECRETARY. In section 3, page 11, line 9, after the word "servants," it is proposed to insert "or farm machinists, mechanics, or farm laborers skilled in farm work, if employed in good faith by farmers."

Mr. GALLINGER. Mr. President, I suggest to the Senator from North Dakota that if he propose to insert his amendment after the word "employer," in line 9, it would be better. The language reads, "domestic servants accompanying their employer."

Mr. GRONNA. I accept that change.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Dakota is modified so as to come in after the word "employer," in line 9, instead of the word "servants." That change will be made.

Mr. GRONNA. Mr. President, I do not know whether or not there will be any objection to this amendment. It will perhaps be charged that it is a discrimination, and to a certain extent that may be true, but I find that this bill in its various provisions is full of discriminations.

There is a certain provision to the effect that skilled labor, if it can not be found in this country, may be imported from foreign countries. I do not know of any work or any labor that requires more skill than that of the farm. We hear a great deal said about assisting the farmer and to the effect that agriculture is the basis of all wealth, and yet agriculture is the first industry to be discriminated against.

There is another clause in the bill, which reads:

Persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Mr. President, that means that one who can afford to go to Europe or to go to some other foreign land and have a valet or a butler is permitted to import with him such domestic servants. In my State we are living right up against the Canadian border, and I again want to call the attention of the Senate to the case to which I referred the other day.

I was not exactly correct in my statement that the farmer who was prosecuted for a violation of the contract-labor law had only written a letter to some men across the line. There was more to it than that. I have since examined the case more thoroughly, and I find that this farmer, who was trying to find men to work in the harvest fields, took his team, drove across the Canadian line, and in the Province of Manitoba found five or six Austrians. He hired them, took them back home with him, and they worked for him in the harvest fields at least for a few days. After a short time, however, an immigration agent came

to the farm and arrested the Austrians and the farmer. They were taken to jail and kept there until the December term of court. The case was tried before one of the most eminent judges in this country, a learned man, a man with broad ideas, and he practically nullified the law by his decision. He imposed only a nominal fine of \$5 on the farmer; but the immigration agent was so outraged by this decision that he entered a civil suit against the farmer for \$5,000, the maximum amount prescribed by law. Then he ordered the Austrians deported to Austria and not to the place whence they came.

I am not in favor of repealing the contract-labor law. I think we all agree that labor should be protected. We perhaps disagree only as to the methods which should be employed to protect labor. Organized labor does not seek farm work; organized labor will never control farm labor. In the first place, they are not willing to work the number of hours that are required on the farm.

We have nearly 10,000,000 farmers now; more than a third of the entire population of this country live on the farm, and I am only asking by this amendment that the farmer shall be given the same opportunity that is given the rich man who can afford to go abroad and secure a valet or a butler. I am only asking for the farmer the same opportunity which is given to the manufacturer who wants to employ skilled labor in some other country.

But it may be said that farm labor is not skilled labor. With modern machinery, we need machinists, we need mechanics; and I repeat that there is no labor which requires more skill and science than that of the farm. I am fearful, of course, that those who come from that section of the country where organized labor is strong may fall under the misapprehension that this amendment is intended as an onslaught on the contract labor law.

Mr. GALLINGER. Mr. President, the last seven words in the Senator's amendment trouble me somewhat, and I will ask the Senator if he can suggest how the amendment, if it is agreed to, can be made operative. The last seven words of the amendment are "if employed in good faith by farmers." Immigrants may come to the port of Boston, or to the port of New York, and claim to be farm mechanics or farm machinists or farm laborers skilled in certain farm work. If the requirement is that they must be "employed in good faith by farmers," how can they be allowed to enter?

Mr. GRONNA. If this amendment should be adopted and should become the law, I presume they could enter just as certain other classes of laborers are permitted to enter.

Mr. GALLINGER. They can not be employed in good faith by farmers unless they are brought in under contract and they can show that they are under obligation to perform this labor. If they come individually, they can not show to the satisfaction of the officials that they are employed in good faith by farmers, because they are not employed in good faith by farmers. They may say that they are intending to engage in farm work or farm machinists' work or to act as mechanics on some farm in the great West, but it seems to me that under the terms of the amendment the officials would not allow them to enter. I may be wrong about it, but it strikes me so.

Mr. GRONNA. Mr. President, I think if this amendment were adopted the immigration officials would be obliged to permit farm laborers to enter, just as they are now required to permit skilled laborers to enter. Under the present law if anyone who has a factory can show to the satisfaction of the Secretary of Commerce or the Secretary of Labor or the immigration officials that the kind of labor he desires to import can not be had in this country, he can import under contract skilled laborers. For the reasons I have indicated I offer the amendment.

Mr. McCUMBER. Mr. President, answering the suggestion of the Senator from New Hampshire [Mr. GALLINGER], I assume that this amendment would particularly apply to and affect laborers from Canada, and probably very few from any other country. I assume also that under the operation of this amendment there would be letters or other written evidence of employment before the immigrant would be admitted. I think there would be no difficulty whatever in securing the adoption by the department of the proper character of rules to safeguard against the improper importation of laborers, and also to secure what my colleague seeks to secure by the amendment.

I can not let the opportunity pass without saying another word in favor of this amendment. If Senators could have seen northwest Minnesota, all of North Dakota, and all of eastern Montana covered with shocks of grain in the early part of November on account of the impossibility of getting thrashing done because of the lack of laborers, they would realize the immense

damage done to that section because of the law prohibiting us from getting labor from the Canadian side. A great snowstorm came on in the early part of November, when three-fifths of the grain was unthrashed. The snow covered the shocks and deteriorated the grain at least two to four grades, and it cost in thrashing three or four times as much the next spring, because of our inability to thrash in the fall, all due to our failure to obtain labor.

We need not be much afraid of immigrants coming in too great numbers to the farming sections. If I had the power in my own hands to shape the law, I would make it much broader even than as suggested by my colleague. I would provide that as to aliens who agreed to go to the agricultural sections of our country and do farm work only even a guaranty of employment would not be necessary.

Mr. GALLINGER. Mr. President—

Mr. McCUMBER. In just a moment I will yield to the Senator. I want to call attention to what my colleague has said about the effect of unionized labor upon farm employment in this country. The one great effect is that it has shortened the hours of labor so much in the cities that it is almost impossible to get any man to go out into the country to labor, as the hours of labor there are almost twice as long as the hours of labor in employments in the cities; otherwise, the farmer could not afford to employ labor at all. This is largely responsible for the tendency to stay in the cities if it is possible to get any kind of employment there. The shortening of the hours of labor and the higher prices which undoubtedly have been brought about by organized labor in the cities have made the employment of labor in the country almost prohibitive, and there ought to be some relief. If we have not people in the United States who can be hired to perform farm labor, then we ought to be entitled to get that labor elsewhere. I hope the amendment will be adopted.

I now yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I am not as well informed on the details of our immigration laws as I might wish to be, but I will ask the Senator from North Dakota, who has just taken his seat, if farm laborers are not now at liberty to come into the United States from Canada without reference to the contract-labor law if they come as individuals to secure employment in the western wheat fields or corn fields?

Mr. GRONNA. They are allowed to come, of course, of their own volition, but we are not now permitted under our laws to advertise for them. Even under the amendment adopted last night I believe that if a farmer were simply to write a letter inviting a laborer to come to this country it would be a violation of the contract-labor law.

Mr. McCUMBER. Certainly it would; and it would render him liable to imprisonment in the penitentiary.

Mr. GRONNA. Yes; it would render him liable to a penitentiary sentence and to pay a fine of \$1,000.

Mr. GALLINGER. Mr. President, it has seemed to me—I may be mistaken about it—that, as the State of North Dakota, for instance, is in juxtaposition with Canada, if there was a shortage of farm labor in that State and there was a surplus of it in the Dominion, laborers would be very apt to find their way across the border and seek employment without being advertised for. It strikes me in that way.

Mr. President, I am in sympathy with anything designed to turn the tide of immigration to the agricultural portions of our country; and if I had my way, and it could be done, I would have our immigration laws so changed that a certain proportion of those landing at the ports of Boston, New York, Philadelphia, and our other great seaports should be obligated not to settle in the great cities, but to go to the western fields, where they could secure agricultural employment.

Mr. McCUMBER. Mr. President, I will suggest to the Senator that those in Canada who might be willing to come here and perform farm labor are not very well acquainted with our laws, and it is generally understood by them that they are not entitled to come into this country to secure employment. They have seen their collaborators arrested on coming over; they do not know just what the law is, and they will be very careful not to come over the boundary unless they can be convinced that they are absolutely safe in doing so. There should be something in the law itself which would allay the fears of those who would naturally drift over the line, something which would let them know that it would be legal for them to accept employment on this side and that the penitentiary would not be staring them in the face if they did so. The Senator must remember that those who perform this kind of labor are not the most highly educated class, and yet they are able to do everything the farmer wants of them.

Mr. GALLINGER. Mr. President, I am in great sympathy with anything that will give relief to the great States where the people are largely engaged in agriculture, and if this amendment can be shown to be a wise one I certainly shall not oppose it; but it has seemed to me that the amendment strikes a pretty severe blow at the contract-labor law now on our statute books. I may be mistaken about it. I apprehend that under this provision, if it shall become a part of the law, it will not be only from the Dominion of Canada that these people will be seeking entrance into our country, but that from European countries as well they will come claiming that they are farm machinists, mechanics, or farm laborers. If they are admitted upon that representation, I think we may well reflect as to exactly what influence that will have upon the manufacturing States of our country; whether we may not get an influx of people from Europe, coming in under the provisions of this amendment, that we would not allow to come in under the provisions of existing law so far as the manufacturing sections of the country are concerned.

I wish some Senator who is better informed than I am in the matter of the contract-labor laws of our country and the operation of those laws will take the time, if any Senator is present who chooses to do so, to explain his view as to just what effect this amendment might have upon sections of the country where we are not engaged in agricultural pursuits. Perhaps the chairman of the committee will take the trouble to do that.

Mr. SMITH of South Carolina. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. GALLINGER. I yield to the Senator for that purpose or any other purpose.

Mr. SMITH of South Carolina. I will state that this matter was brought before the committee and thoroughly discussed. There is not a Senator on this floor who does not recognize the necessity for ample labor on the farm; but a mere glance at the amendment, bearing in mind the provisions of the present contract-labor law, must convince every Senator that the moment such an amendment is adopted you might as well repeal the contract-labor law. For the reasons set forth by the Senator from North Dakota he has put the word "skilled" here; but everyone knows that when it comes to importing labor to handle the shocks of wheat and grain to which he referred in the fields of the West, almost any man is already skilled. His muscles may not be hardened to the work, but certainly he could perform that crude form of labor to the satisfaction of the farmer, and be a skilled laborer in that respect. You have opened the door for a little temporary employment, and then the host that have come over for that purpose are here to seek other employment, until another grain crop is ready.

That is one objection. The next is this: Any farmer could import people who would not come alone from across the Canadian border, but in every port, and everyone else would have the same right. This committee or the Senate could not make the distinction here sought to be made without according the same right to every railroad and every corporation which might come before Congress and state that there was difficulty in securing certain kinds of labor.

The whole heart of the contract-labor law is involved in this amendment. It is one of those unfortunate cases that may occur from time to time; but the Senate, as I said a few days ago, is attempting to legislate on a general rule, and not to ruin the rule by fitting it to these peculiar cases. The committee almost unanimously rejected a similar provision when it was sought to be incorporated in the bill while it was pending before the committee. It needs no extended argument to show that if we are to have a contract-labor system, and you are going to make an exception such as this, where the most unskilled men can perform the work sought to be performed, you have opened the doors to flood this country with the very things that our contract-labor law has sought to obviate. I sincerely hope the Senate will not even seriously consider this amendment.

Besides that, I want to state before I conclude that I am a farmer myself. It is the only vocation I have aside from the duty I am now performing, and I myself would not come before the Senate and ask for the adoption of this amendment in order to permit me to gather my own cotton crop which to-day is open to the weather for the lack of proper hands to gather it. We know the conditions, and rather than open the door to what I believe is not a fair deal to the laborers already in this country I myself would not vote for any such proposition.

Mr. McCUMBER. Mr. President, if the Senator will give the matter a little more serious consideration, and if his mental

attitude is right on the subject, I think he can find some way to grant the relief desired without the danger he anticipates.

Let me say first to the Senator that although he may consider that all farm work requires no study and no skill we who are acquainted with the character of work in the Northwest are convinced that it requires as much skill and as much intelligence to run a modern binder and separator or to build a wheat stack that will shed rain and at the same time will not tip over as it does to drive a nail into a board. With the skill that is required, I do not think we need have a great deal of fear about all classes coming in any more than you would have that all classes would come in under the building trade.

Let me say further that you have made an exception in this bill, as stated by my colleague. Whenever one of your institutions or business interests requires labor and it can not get the skilled labor and so certifies, then it is allowed to introduce it into this country. Now, that skilled labor may be a man that lays a brick or a man that mixes mortar or a man that puts plaster upon a building or a man that lays paper upon the inside wall of a building. He is called a skilled laborer and receives skilled laborers' prices, and you can import him into the country if the business itself demands it and that character of labor can not be found in the country.

It so happens that we need the character of skilled labor that is described here, some one who is skilled in farming, because that is what it says. It does not say somebody who may become a skilled farmer, but some one who in the old country has obtained his skill in farming, and not the ordinary roustabout who never has done any work in the farming line. It is limited, as I say, to those particular persons.

If the Senator really believes we ought to have the extra help, I can see no reason why he can not modify this amendment, in conference or here, so that it will fit the case, without creating the disturbance that he thinks will be created if it is adopted. Suppose a provision were incorporated in the bill, either in the Senate or in conference, which would prohibit persons who came in under such employment from performing services in any other line of business except that for which they had been employed, and if they disobey that requirement make them subject to the same penalties to which they otherwise would be subjected.

I believe we can secure the good results that are intended by my colleague in this amendment without endangering the whole structure of the bill.

Mr. LODGE. Mr. President, let me say in the beginning that the Senator from North Dakota invited us to give more attention to this subject. I have been working on this subject now for some 25 years, and I have tried to give attention to all these points. The committee has given especial attention to this point among others.

All skilled labor, no matter whether it is skilled labor for the farm or skilled labor for the factory, can be brought in under the proviso on page 10:

That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country.

That is not confined to the building trades or to factories or to any other industry. It applies to any skilled labor. The skilled labor of the farm can be brought in under the law as it now exists—for that is the existing law—if labor of like kind, unemployed, can not be found. This is a proposal to take off that limitation, "if labor of like kind can not be found," and permit the introduction of farm machinists, mechanics, or farm laborers skilled in farm work, if employed in good faith by the farmer. Put in that form it opens the door to the complete overthrow of the contract-labor laws. Persons brought in under this amendment could go into any other industry for which they were fitted; and the result would be that the railroads, the factories, and all the industries of the country would suddenly find that they needed farm labor, and they would bring it in as mechanics and machinists. They would all come in.

The contract-labor laws antedated the immigration laws. They were passed in response to a widespread demand that labor should not be brought into this country under a contract made abroad—a contract which would result in bringing in a large body of laborers under an obligation to work for a period of years at lower wages than our own people work in similar employment. If we should open the doors—and this amendment opens them, for it can not possibly be confined—the result would be that the whole purpose of the contract-labor laws would be destroyed.

There are hardships, no doubt, in every employment, and difficulty of getting labor at certain times. It is impossible to meet all those individual cases by law; but I think it would be a very great misfortune to break down the contract-labor laws of this

country, which have been long on the statute books. This amendment in my opinion, throws wide open the door for bringing in contract labor under contracts made in foreign countries at lower rates of wages, because the definitions are necessarily so vague that there is no method of controlling them.

I sincerely hope the contract-labor laws will not be impaired.

Mr. McCUMBER. Mr. President, the Senator's statement that he has given this matter a quarter of a century of careful consideration leads me to ask him a question concerning it, for information only. What method has been adopted by the department to ascertain whether or not skilled laborers can be found to fulfill any demand in the manufacturing sections of the country?

Mr. LODGE. Application has to be made to the Secretary of Labor—or the Secretary of Commerce and Labor, as it was before—and the applicant has to furnish proof that he can not get that labor in this country.

Mr. McCUMBER. What is the character of the proof? That is really the gist of my question.

Mr. LODGE. It has to be very conclusive, for very little comes in. The only cases where persons have been brought in under that law are where new industries have been started, where it could be proved beyond a doubt that there was nobody in the country who understood how to run a given machine, for example, or how to do the work involved, and that we could not start the industry without importing some one. The number of people brought in in that way has been perfectly trifling, owing to the extreme difficulty of the proof. It would be very hard to prove that there was no like farm labor unemployed in this country.

Mr. McCUMBER. The Senator has reached just the point I wanted to make, and in which I agree with him. I thought he was arguing, from what he stated a short time ago, that the farming sections had now about the same opportunity that the other industries have to obtain skilled farm labor.

Mr. LODGE. They have.

Mr. McCUMBER. Now, upon the face of it that might appear to be true; but if the Senator should start any kind of a manufacturing business in his own State, whether it were the steel business or whether it were the manufacture of fabrics, he could easily put a little advertisement in the paper saying that he desired so many men of a certain character to do a certain kind of work and so many to do other kinds of work, and he could tell in a reasonably short time whether or not he would be able to secure those persons; and that and other efforts might satisfy the department that the labor could not be obtained. That condition, however, could not hold in a farming section.

Mr. LODGE. No; and it does not hold in the industrial sections. There is no such condition.

Mr. McCUMBER. There may be somebody in Massachusetts who is skilled in farming, but that would not help the man out in Montana about getting that help there. The man in Massachusetts would not know where to go; the great farming public would not know how to get word to him; and therefore, without some such provision as this, it would be impossible for the farming section to obtain that labor, even though they did not have a tenth of the labor that was necessary to perform what was required to make the farming a success.

Mr. LODGE. Practically, in the administration of the law, in any established industry no men are allowed to come in. It is not enough to show that the employers can not get them by advertising. They are not allowed to come in. As a matter of fact, none are brought in in that way. It is just as impossible for manufacturers to get them as it is for farmers to bring them in in that way, as the Senator says. It has only occurred, as I have said, in a very, very few cases, and that is where the industry did not exist in the country. Where the industry exists, as in the steel and textile industries, ever since these contract-labor laws were passed, any bringing in of contract labor has absolutely ceased. It can not be done. The department has been extremely strict in regard to the law, and almost no one comes in under it.

Mr. McCUMBER. Whatever may have been the effect of that exception upon contract labor in the manufactures, it is certain that no benefit could be obtained by the farming sections through that provision in the law. A case has been cited by my colleague where a farmer knew he could not get labor in the United States. He had tried it. He did not know it was wrong to go over to Canada, across the line, where there were some people ready to come and work for him, but he knew that there was not any labor in this country that could do his work. He went over the line. It cost him some few thousand

dollars, I believe, for that attempt to save his crop. There ought to be some means devised in this bill by which he could get labor of that kind, for the little time he would need it, without opening the gate so wide that that labor may remain here for all time and go into any other employment.

Mr. LODGE. I know the case to which the Senator refers. The farmer could not get labor, and the situation was a hard one. He went across the border, and he contracted with nine men, as I remember the number. They happened to be Hindus, as I understand, that he brought in.

Mr. McCUMBER. These were Austrians.

Mr. LODGE. In the case I heard they were Hindus. He brought them in, and it was a clear violation of the contract-labor law. The door is as wide open to the farmer for getting skilled labor under this clause as it is to anybody else, because it says, "skilled labor * * * may be imported if labor of like kind unemployed can not be found in this country." This is a proposal to take off that limitation and let in the persons described in this amendment. It would result in bringing contract labor in ultimately to every industry.

Mr. GRONNA. Mr. President, I do not believe it would throw the gates wide open to labor. My amendment follows the provision on page 11.

Mr. LODGE. Certainly; I know that. It puts them under the excepted classes.

Mr. GRONNA. Yes; under the provision which says that persons employed strictly as personal or domestic servants, accompanying their employers, may be admitted.

Mr. LODGE. Yes.

Mr. GRONNA. Then my amendment follows.

Mr. LODGE. I understand that. It was put in there because there is no limitation.

Mr. GRONNA. That would not throw the gates wide open. These men would have to accompany an employer, just the same as they have to under the provision which is embodied in this bill. I can see no difference in that respect.

Mr. LODGE. Does the Senator propose to put it in after the word "servants"?

Mr. GRONNA. No; after the word "employer."

Mr. LODGE. Exactly. The amendment says after the word "servants."

Mr. GRONNA. Yes; but it was modified. At the suggestion of the Senator from New Hampshire [Mr. GALLINGER], it is inserted after the word "employer."

Mr. LODGE. Of course, if it is inserted after the word "employer," it takes off that limitation.

Mr. GRONNA. Yes; I will say to the Senator that it does. It has been modified.

Mr. LODGE. It takes off the limitation.

Mr. GRONNA. Yes; it does.

Mr. LODGE. It opens the door wide.

Mr. GRONNA. Now, if we permit aliens to come into this country accompanying their employers, to be employed—

Mr. LODGE. But you have taken off that limitation by putting it where you have now placed it. Under this amendment the people do not have to accompany the employer—not that I think that makes it a good amendment.

Mr. GRONNA. If the Senator would rather have the amendment come in after the word "servants," I should have no objection to that.

Mr. LODGE. No; I think that puts a limitation on it, of course, but I do not think it is a valuable limitation.

Mr. GRONNA. That was my impression, but it was suggested by the Senator from New Hampshire—

Mr. LODGE. There would be plenty of farmers to go abroad and make contracts and bring labor in here as farm labor that never had seen a farm.

Mr. GRONNA. I do not think so. My experience has been that a farmer is very anxious to hire men who know something about farming. The great trouble is that the farmer has to employ the labor that comes from the slums, men who never have learned to perform work, and he has to pay them the same wages that are paid to men who know something about the scientific methods of doing work on the farm.

There is no work to be done by labor anywhere that is more scientific than the work on the farm. I will make that statement. Of course there are certain specific things which can be done by almost anybody, but when it comes to the modern method of farming, with all the intricate machinery, with petrol power and with steam, it requires skilled labor to do the work.

I am simply asking that this industry be accorded the same treatment that is accorded to other industries as provided by this bill. We say that in other industries where this class of labor can not be found they shall be permitted to employ men

in other countries. More than that, we provide on the next page, page 11, that persons employed strictly as personal or domestic servants, accompanying their employers, may be admitted into this country. There are two exceptions; and yet you say you are afraid that if we insert this provision that will throw the gates wide open to foreign labor and it will be an onslaught upon the contract-labor law.

I am not here pleading especially for any industry unless I know that it is a matter of justice to it. Why should not a farmer who lives close to the border line be permitted to cross the line and get labor, when it can not be had in this country, just as well as we permit men engaged in the manufacturing industry to import that class of labor?

Mr. SMITH of South Carolina. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. GRONNA. Certainly.

Mr. SMITH of South Carolina. I should like to ask the Senator if he does not believe that if this amendment were adopted the Canadian and Mexican borders would become the dumping ground for all kinds of immigrants, all kinds of persons seeking entrance into this country, and that you would make it possible for anyone seeking labor in other ways to send his agent across the border and bring it in under the guise of seeking farm labor? What would prevent it, and how would you discriminate?

Mr. GRONNA. In reply to the Senator's query I want to say that I know he is as familiar with the immigration laws of Canada as I am, but I will say to him that the immigration laws of Canada permit them to advertise as much as they please. They permit the people of Canada to send for as many people as they please, and I do not entertain any fear that the border will become a dumping ground any more than it is at the present time.

Mr. SMITH of South Carolina. The Senator has strengthened my argument. For that very reason if Canada advertises at certain periods and brings in from all the foreign countries labor, then, if we allow this amendment to pass, when that labor is not employed one of the agents would come across the border to this country with the very persons we are seeking to keep from coming here in competition with the labor of this country.

I do not think it is worth while to take up the time of the Senate any further unless those who desire this amendment to pass have further arguments to advance. I want to state here and now that I believe the man who works on the farm for a wage is as much entitled to the protection of this Government from competition as the man who works in the machine shop or works at any other form of manual labor, corporation work, such as on railroads, in our great manufacturing establishments, and other kindred enterprises; but when there is a scarcity of labor we should put the muscle and the brain of our own country on the market, and by virtue of the law of supply and demand, demand a higher wage and receive it, as in the case of those we have already legislated for or whose condition brought about this form of legislation. I believe it would be an inducement for boys to go to the farm. I saw an advertisement the last harvest time—

Mr. GRONNA. May I ask the Senator—

Mr. SMITH of South Carolina. Just one moment. Let me finish the sentence. I saw the last harvest time where they were offering splendid wages for young men to go out and engage in harvesting the crops, and boys went from college and engaged in the work and in that way helped pay their tuition and became better qualified for the exercise of citizenship in this country. The account of the per diem wages they received was amazing to some of us from the South.

Now, in order to cheapen that process this amendment is introduced to flood this country with immigrants from those who have come into Canada and deny the boys of this country the privilege of going out and earning money and acquiring health in the healthful exercise of harvesting the splendid crops grown in the Senator's part of the country.

I am unalterably opposed to this amendment being put into the bill. I believe the time has come for us to face resolutely against allowing the lower orders of a European or any other foreign country to be dumped here, and by virtue of their low scale of morals to make it distasteful to the young men of this country to engage in that kind of work. We have had that curse in the South. We have had that curse spread by virtue of our lax immigration laws all over the country. I would infinitely rather have higher wheat and higher manhood and morality than to have cheaper wheat and lower manhood and morality.

Mr. GRONNA. The first part of the Senator's statement is absolutely correct and shows exactly what the conditions are in my part of the country. It is true that the college boys were required in order to meet the demand for labor in the harvest field. It is also true that little children, boys and girls from 10 years up, had to perform farm labor, and not only that, but the American women had to go out into the harvest fields in order to save the crop.

I wish to ask the Senator if he has ever heard that there was any competition in labor so far as farm labor is concerned? In my section of the country it does not exist. It does not exist in the western country, I will say to the Senator.

Mr. SMITH of South Carolina. I want to say that I am glad that it does not exist. The Senator is seeking to bring it about now, and it is that that I want to avoid. I want to let the competition be among the boys and the girls and the women if necessary.

I wish to state further, Mr. President, and then I am through with this discussion, that of all occupations which induce to health and do not contribute in any way to the degradation of the morals of people, farm work is the one. I would dislike to see the Senator's part of the country invaded with that element which has been a blight on my section since I can remember and practically through the history of the development of the South. The very labor that ought to employ the hand and the brain of the young men of the South by virtue of the very racial contest has been preempted by the class of people we do not want to come in competition with. But it is there. We are entitled to the highest and the best, and for that reason we have a contract-labor law. As I stated the other day, we ought to build not from the top down, but from the bottom up.

Mr. GRONNA. Mr. President, I thoroughly sympathize with the statement the Senator makes, but let me ask the Senator does he consider the labor he referred to as skilled labor?

Mr. SMITH of South Carolina. Mr. President, the word "skilled" is a relative term. I should think that there are occupations on the farm—and I have discussed it personally with the Senator—that are skilled. I do not believe that the ordinary labor as I know it can take care of the modern machinery that is necessary on the farm. I do not believe such labor can do it; and for that reason I believe in the provision of the bill which provides that where skilled labor can not be found in this country it can be contracted for abroad by applying to the Bureau of Immigration for their permission and setting forth the facts.

The term "skilled" is very elastic and comparative. I believe that under certain conditions some degree of relief could be gotten in the case described by the Senator, but I think that with the hosts of unemployed in America and the demand incident to the harvest time, with the proper inducement and the proper advertisement throughout the country, you could get all the labor you want to gather the crop.

Mr. GRONNA. We allow more than this skilled labor to come into this country under the provisions of the bill. The Senator knows that on page 11 it is provided that persons employed strictly as personal or domestic servants, accompanying their employers, are to be admitted into the country. Will the Senator explain to me what that means? It may be that I do not understand it.

Mr. SMITH of South Carolina. I think it explains itself. An individual traveling abroad may, under the necessities of the case, employ a domestic servant, a maid or some individual to look after personal affairs in transit, and when he gets to this country, as he is already in the employment and has been brought here, he is allowed to come in. According to the testimony of the Commissioner of Immigration we ought not in any way to jeopardize the terms of the bill; and as that was such a matter of necessity, the servants being employed and coming along with their employers, we admitted those persons. I think just a glance at that provision explains it.

Mr. GRONNA. The Senator thinks there is no danger of this provision being abused when persons may be employed in foreign countries as servants. Those immigrants will be brought in, of course, by rich men; it will not be done by farmers. It will be done by those who can afford to travel in foreign countries and take with them such persons as they like for their personal attendants.

Mr. SMITH of South Carolina. I think it would be a pretty costly experiment, Mr. President, for an individual traveling abroad to bring in a sufficient number to abuse it to the extent that the Senator's provision would abuse it, where he wants sufficient to gather the wheat crop of the West. This merely applies to those who are accompanied by their personal servants.

Mr. GRONNA. Is it not possible that farmers may take advantage of that provision and go abroad and bring back these servants and then employ them as farm laborers?

Mr. SMITH of South Carolina. I would suggest to the Senator to offer that as a remedy in place of his proposed amendment.

Mr. GRONNA. At any rate, it is a discrimination. I believe the Senator will admit that it is a discrimination.

Mr. President, I shall not detain the Senate any longer. I have offered this amendment in good faith and I am in hopes that it will be adopted.

Mr. McCUMBER. Mr. President, I wish to correct two errors made by the Senator from South Carolina a few moments ago.

I do not know what the conditions in his own part of the country may be, but he speaks of farm laborers in this country. There is not any such thing as a farm laborer in the entire Northwest. There is no labor that may be designated properly as farm labor. The only labor that we are able to get at all is the overflow from the cities after employment in the cities has been exhausted. They are not farm laborers. They remain only a short time, until the crop is harvested or a little of the plowing done. It is almost impossible to get labor on a farm by the year, as we used to get it 20 or 30 years ago, or to get anyone who knows anything about farming in general. Every farmer in the Northwest will give you that as his experience.

Another error the Senator makes is in the supposition that there is such a thing as competition in farm labor. We can not get half the labor that we need. We could absorb all the farm labor we have now and we could multiply it by 2 and 3 and yet the demand would not be filled in the northwestern section of the country.

The Senator says that he wishes to protect the young men who want to go out and do labor upon the farm from competition that strikes down their wages. Mr. President, I believe in the Senator's own State, and I know in my State and in all the northwestern section of the country, the farmer pays all he is able to pay and considerably more than he ought to be required to pay. If you were to give those men the wages they earn in the city you would turn over the entire crop to them and you would have to give a mortgage upon your farm for the next year's crop in order to pay your hired help. There is no such condition as the Senator describes in any part of the United States that I know anything about.

Now, if the Senator is afraid of dumping the cheap labor of the old countries upon our farms, let me say that we are equally afraid of dumping the cheap products produced by the cheap labor of the old countries into this country. You throw down your bars of protection and you say that all the food products produced anywhere in the world may come into the United States free, but at the same time you say to the farmer who has to compete with the entire world in his produce, "We do not intend to let you get any labor to work your farm unless you pay the price that is paid by the protected manufacturer," and in that is the great injustice.

Mr. SMITH of South Carolina. Mr. President, I am just a bit amazed that the Senator, being the good protectionist he is, should declare to the Senate that he is in favor of protecting the product but not the producer.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from North Dakota [Mr. GRONNA].

The amendment was rejected.

Mr. THOMAS. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The proposed amendment will be stated.

The SECRETARY. In section 3, page 9, lines 6 to 12, in lieu of the words—

That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution—

Substitute the following words:

That the following classes of persons shall be exempt from the operation of the literacy test, to wit: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious or political persecution, whether such persecution be evidenced by overt acts or by discriminatory laws or regulations.

Mr. THOMAS. Mr. President, I think the importance of this proposed amendment is manifest, but I am physically unable to present any views in support of it at this time. I have a letter from Hon. Louis Marshall, one of the very able lawyers of the New York bar and a member of one of its most eminent firms, bearing upon this subject. It is not very long, and I ask

permission that the Secretary may read it to the Senate as the argument in support of the proposed amendment.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

The differences between the two clauses are as follows:

(a) The Burnett bill limits the exemption to those who seek admission to the United States "solely" for the purpose of escaping from religious persecution. This limitation would deprive the provision of all possible value. No matter how severe the persecution may be, the refugees, who are usually stripped of their belongings or are deprived of the opportunity of earning a livelihood by reason of persecution, would naturally come to this country, not only for the purpose of seeking that asylum which we have always granted to the oppressed but incidentally and of necessity to earn a livelihood here. Hence it can not be truthfully said that they come here "solely" to avoid persecution. Naturally they also seek to save themselves from starvation, which, though frequently an incident to the persecution which they have suffered, would confront them in this country if they do not find an opportunity to earn a living by their labor.

As the exemption clause now reads, the only persons who would have the benefit of it would be those individuals who could show not only that they were persecuted but that they have sufficient means to make it unnecessary for them to labor or are willing to pursue a life of idleness. Surely the intention of the framers of this clause, who are actuated by the most humane of motives, must be to enable the victims of persecution not only to seek an asylum but also to become useful members of the community while here.

Those who have been strong in their advocacy of the illiteracy test admit that an exemption should be accorded to these victims of persecution. Messrs. Jenks and Lauck, in their recent work on The Immigration Problem, say at page 334:

"The chief objection raised at the present time against further restrictive measures has come from the Jews, who fear that any restrictive measure will tend to keep many of their people, especially those in Russia, under conditions of political and religious oppression. The answer to such an objection, of course, is found in the first principle laid down (in the commission's report) which makes it clear that, in the judgment of the commission, as well as of most other enlightened citizens, the United States should remain in the future, as in the past, a haven of refuge for the oppressed, whether such oppression be political or religious. Any restrictive measure should contain a provision making an exception of such cases."

(b) The clause in the Burnett bill merely exempts those who seek admission for the purpose of escaping from religious persecution. The substitute adds "political" persecution. As a matter of fact, the persecutions to which the Jews have been subjected in Russia and Roumania, while founded on religious intolerance and animosity, are in part also political, and, as Secretary Nagel pointed out, it is sometimes difficult to draw the exact line between religious and political persecution. The student of history knows that wherever there has been religious persecution it has been ordinarily commingled with political elements, and that, as a matter of fact, persecution is a dual monster, partaking both of a political and a religious character. In Russia and Roumania, it is difficult to say where religious persecution ends and political persecution begins. The two run into one another. It is one of the glories of our country, that it has during its existence as an independent power, opened its doors to those fleeing from political as well as from religious persecution.

The present Mexican situation does not affect the question, because it partakes of the nature of a civil war or rebellion and not of a political persecution.

(c) The clause in the Burnett bill contents itself with granting exemption to those who seek admission for the purpose of escaping "from religious persecution." There is no definition of that term in the act. The phrase is vague and indefinite, and for that reason is apt to receive an interpretation which would render it of but slight value. As a matter of fact, the religious persecution from which the Jews in Russia and Roumania are now suffering occurs principally through the operation of discriminatory laws and regulations. There are occasional outbursts, which are known as pogroms, where violence is used. But those are only symptoms of a disease which is much more insidious and fatal than these momentary physical phenomena. By these laws the Jews are prevented from receiving education. A people which, during the darkest of the Middle Ages, taught its children assiduously, so that education was a religious precept, has been restrained by law from sending them to the schools. Hence, the illiteracy which exists among the Jews in Russia and Roumania is directly due to the operation of discriminatory laws. There is a multitude of employments and activities in which they are not permitted to engage. They are restricted as to the territory in which they may reside. In fact, in Russia they may not live beyond the Pale of Settlement, and even within its boundaries they are confined to cities and towns. So that in reality they may not live or carry on business in 1999/2000 of the area of the Russian Empire. They are precluded from owning land, from living in the country, from carrying on agricultural pursuits, and from practicing professions, except to a very limited extent. In other words, they are in every way hounded and persecuted by methods more far-reaching and lasting in their effects than they would be if actual violence were inflicted.

This is clearly shown, so far as Russia is concerned, in the recent pamphlet of Lucien Wolf, entitled "The Legal Sufferings of the Jews in Russia," and the introduction thereto, by Prof. Dyce, of Oxford University; and as to Roumania, by the facts collated in the speech of Congressman CHANDLER delivered on October 10, 1913.

A clause, descriptive of the character of persecution which is to be the ground of exemption, embodied in the words, "whether such persecution be evidenced by overt acts or by discriminatory laws or regulations," is therefore proposed. That clearly defines what undoubtedly is intended by those who recognize the necessity for an exemption. To decline to make such a definition is practically to give with one hand and to take away with the other.

This amendment imposes the burden of proof upon the immigrant and not upon the Government, and leaves the determination of the question as to whether there has been religious or political persecution of the character specified to the proper immigration officer or to the Secretary of Labor. The public interests are therefore fully safeguarded, and this clause merely becomes a safety valve for the purpose of protecting those whom it has been the policy of our country to take into its keeping ever since our Government began. It would be retrogression if this historic policy were now changed.

The reasonableness of this amendment is demonstrated by the fact that it is susceptible of absolute demonstration that the illiteracy of the Russian and Roumanian Jews is due entirely to the persecution which they have endured, and it would therefore be the very irony of fate if they were prevented from coming to this country because of the illiteracy thus conducted.

In a pamphlet by Mr. Max J. Kohler on "The Immigration Problem and the Right of Asylum for the Persecuted," it appears that the English aliens act contains an exemption clause similar in terms to that contained in the Burnett bill. He shows, however, that that clause has reference only to a provision excluding those who are "likely to become a public charge," and has no bearing on the illiteracy test. The leading members of Parliament were, however, of the opinion that the clause as framed was ineffective. But inasmuch as it was believed that there was no likelihood that the Jews who came to England from Russia by reason of religious persecution would be permitted by their English brethren to become public charges it was felt that, in that connection, the phraseology of the exemption clause was of comparatively small importance.

When one considers, however, that we now are dealing with the illiteracy test, and that the exemption clause is of importance, because an illiterate is not apt speedily to become literate, there is every reason for couching the exemption clause in such terms that it will carry out the benevolent purposes which it avows. Otherwise it would prove not only a snare and a delusion but the withdrawal of the last gleam of hope from those who are the victims of religious and political persecution.

Mr. McCUMBER. Mr. President, I wish to ask a question not only about this last proposed amendment, but about the bill itself on that very subject. The amendment differs, I understand, from the original bill in that it includes political persecution as well as religious persecution. I read over that provision when the bill came from the House, and it seemed to be designed for only one purpose. Under this amendment there can be no question that all the Jews in Russia, if the statement just read is correct, and I assume it is, could immediately come into the United States. It opens the door for all those persons, whether they are illiterate or not, and you discriminate in favor of what you call the Jews and against the Christians, because in Russia, where perhaps nine-tenths of all our Jewish immigration now is coming from, there is no question that there has been both religious and political persecution. Therefore, we would open the gates wide to them.

So also with reference to the Armenians and the Turks. The Turks have persecuted the Armenians and the Armenians have persecuted the Turks, both religiously and politically. Under this provision there would be no difficulty whatever in all the Armenians and all the Turks getting into this country, because they had persecuted each other.

I call the attention of the Senator in charge of the bill to the particular wording on page 9. It is in reality just as broad as this language, for it provides that—

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents solely for the purpose of escaping from religious persecution.

All those can come in under the bill as it is now presented to the Senate. It seems as though the committee had adopted the word Jewish, for instance, in another instance as meaning a nationality, and not a religion. If I understand the proper phraseology and the definition of Jewish, it is a religion just as much as the Christian religion is a religion, and not a nationality.

If we use the word "Israelite" generally, then we would speak only of the nationality or of the particular race; but so long as the word "Jew" pertains to a religion and so long as this bill provides that if there is religious persecution—and the persecution mentioned here is toward the Jew because of his religion—in either instance, under the bill itself or under the amendment, it throws the door wide open for the entire Jewish religionists, which would permit the Israelitish race in Russia, and possibly in Poland, in Armenia, and in other Slavic countries, to come into this country, whether they are illiterate or not.

It seems to me to be hardly treating the Christian population of the Old World as fairly as we do the Jewish population. I have no objection to all of the Jews coming here from Russia or from any part of the Old World, if they are proper persons, but I want to see our coreligionists treated just as fairly.

Mr. SMITH of South Carolina. Mr. President, the modifying word here, "solely," is the very word about which there has been most contention from those who have desired to have the fullest freedom given to the Russian Jews. The letter just read complains that the word "solely" would restrict them to prove the affirmative, would make it necessary for them to establish that that was the object of their coming.

Mr. McCUMBER. Could they not prove that by the Russian statutes themselves? Do not the Russian statutes provide that those of the Jewish faith—I am not now speaking of the Israelites, but those of the Jewish faith—can not hold land? Do they not also provide that those of the Jewish faith and religion can not live in certain places? Is not that discrimination

a persecution of those of the Jewish faith? Therefore, does not this bill allow anyone of the Jewish faith from Russia, whether he be illiterate or otherwise, upon the presentation of the Russian statute, to come into this country?

Mr. SMITH of South Carolina. That may be a discrimination, without persecution. I should think that our administrative officers in charge of the interpretation of this proposed statute would take just what the Senate committee meant or the House committee meant and the old law meant by inserting the word "solely." If the interpretation placed upon it by the Senator from North Dakota were correct, I presume those who would be the beneficiaries of it would call attention to it and ask that it be stricken from the bill. The committee was flooded with requests from all over the country, from those who were friendly toward the Russian Jew, to have this very word stricken out, because it seems to have been pretty well established that the persecution of the Jews was not on account of their religion; that it was racial antipathy, not religious antipathy. I think every student of conditions as they exist in Russia to-day will admit that, so far as the Russian officers and the Russian Government are concerned, they care nothing about the religion of the individual, but it is the racial antagonism. I do not think it is a question as to their religion, so far as I have been able to ascertain.

Mr. McCUMBER. What I wanted to direct the Senator's attention to was the fact that the Russian statutes are leveled against those of the Jewish faith and not against Israelites; not against the race, but against the religion. If the word "Jew" designates a religion and not a race, it must apply to the religion. Therefore it must be religious persecution, and the citation of the Russian statute would be all that would be necessary to admit such an immigrant.

Mr. SMITH of South Carolina. I do not think it is necessary to discuss just what would be the terminology necessary to define what is the particular faith of a member of a race and say that because he has a certain racial name that, therefore, that is the name of the faith that he holds. The point that we are making here is that the Jews of this country have protested against the insertion of the word "solely." If we remove that, the doors would be wide open to anyone claiming that he was religiously persecuted. We wanted to discriminate so as to give an asylum to those who really for the faith that was in them were being persecuted, and not as a race. The point which the Senator from North Dakota is making is that these Jews are being persecuted because of their faith. They are being discriminated against there because of their race and not because of their peculiar religious belief. I am not familiar with the Russian statute in its terminology, but I know that the Jews themselves have protested against this very word "solely," and the committee of the House, the committee of the Senate, and those charged with the formulation of this legislation were attempting to restrict it to those who were persecuted for their individual faith and not for their racial characteristics.

Mr. McCUMBER. Allow me to ask the Senator this question, so that we may not misunderstand each other: Suppose that one of those who belong to the Jewish faith should recant that faith and become a member of some Russian church, would the law of Russia then apply to his case?

Mr. SMITH of South Carolina. I am not sufficiently familiar with the Russian statute to answer that question yes or no, but I can use an illustration. We have in our section of the country a race toward which there is a racial antipathy or a racial difference, such as to amount to a chasm across which we can not go. The mere fact that a negro in the South should become a Methodist or a Baptist, as a great many of them do, does not at all change the fact that he is a negro, nor does it lessen the racial antipathy. I should imagine that the same would be true in Russia.

Mr. McCUMBER. That would be true if the word "Jewish" referred to a race and not to a religion; but I have insisted—and I challenge that to be refuted—that the word "Jewish" refers to a religion and not to a race, and that if one recanted his Jewish faith and became an orthodox Christian of the Greek Church, he would no longer be a Jew and amenable to the Russian statutes to which I have referred. Therefore the statutes are directed not against the Israelite, but against a religion, and it is the persecution of the religionist. Under the terms of your bill, no matter if 90 per cent of them were illiterates, they could come in, because they are persecuted in Russia, while 90 per cent of certain portions of the population of Italy could not come in because they were illiterates and they were only Christians.

Mr. SMITH of South Carolina. Mr. President, I think that perhaps the Senator from North Dakota would find that in the practical administration of the law the interpretation which

I have attempted to give to it would be the one that would prevail, because those who have studied the matter most closely assert—and the argument presented by the Senator from Colorado [Mr. THOMAS] establishes that fact—that the Jews themselves are seeking an asylum for the race, as now outlined by the Senator, and this word "solely" excludes the possibility of that.

Mr. THOMAS. Mr. President, I have no intention, as I before stated, of even attempting to discuss this important amendment. I am in hearty accord with those who are supporting and desire to secure the enactment of this bill into a law, but I have never sympathized with that narrower view concerning immigration which would exclude from our shores men and women who are the victims of either religious or of political persecution.

One of the proudest boasts of our country since its establishment has been the fact that it is a refuge for the victims of religious and political persecution from all countries. We believe that under our institutions it is a political duty to give them a haven where they can be free from the exactions of either or of both. If it be true that the word "Jew" is one which indicates a widely extended religious belief instead of a race of people, I would not for that reason limit the application of the rule in the slightest degree.

I think perhaps the suggestion may be true, in a general sense, that a man who is known as a Jew generally professes a religion which is peculiar to that people. If, therefore, the entire race of Hebrews in Russia or in any other country is the subject of religious or political persecution in the accepted sense of that term, I would make no limitation upon their right collectively any more than I would upon their right individually to seek the shores of America to the end that they might escape the further endurance of such intolerable conditions; and what I say of the Jew I would say equally as to any other form of religious belief or as to any other form of religious persecution or political persecution, always provided that the persecution exists in fact and not merely in imagination.

The word "solely" which appeared in the draft of this bill as it came from the House has unquestionably received the most serious and ample consideration; indeed, I presume that the so-called literacy test provided by that measure and the exceptions to it have been the subject of more consideration and more discussion than all the rest of the bill besides. Hence I am not prepared to say that there are not excellent reasons why it should be continued in the bill. Nevertheless, it is my conviction that it imposes a limitation which in effect will exclude or have a tendency to exclude many people from our shores who are the victims of an intolerable persecution carried on, perhaps, not with directness, but nevertheless so effectively as to be quite as intolerable as though it were direct.

The substitute which I propose goes very far. It not only eliminates the word "solely" but it adds the word "political," and by that means continues a policy of which we have boasted for a great many years.

I think the junior Senator from New York [Mr. O'GORMAN], from what I have heard, is interested in this matter. I am sorry it became necessary to introduce it at a time when comparatively few Senators are in their seats, and when perhaps their interest and the interest of all of us has palled under the previous discussions to which the measure has been subjected. But I believe that this substitute, not perhaps in its entirety but in its substance, ought to be enacted into any immigration law which the Congress of the United States shall pass unless it be our purpose to alter our entire policy with reference to the subject to which this substitute relates.

Mr. STONE. Mr. President, I should like to ask the Senator from Colorado whether, in his opinion, any exception should be made in favor of those who are persecuted for racial reasons where, of course, the person is otherwise eligible to admission into our country as an immigrant?

Mr. THOMAS. Mr. President, my views upon that subject are somewhat positive. I have long believed that racial prejudices and differences were constitutional with mankind, and therefore ineradicable. I do not believe that races which are not likely to assimilate and merge themselves can endure with safety to a nation as component parts of it.

The Senator from South Carolina [Mr. SMITH] has just referred to the well-known racial prejudices and differences which exist between the black man and the white man in the South. We have had two or three apprehensions of difficulty with Asiatic countries, even since this administration began, consequent upon their presence in numbers sufficiently large on the Pacific coast to excite grave apprehension, and it is a matter of history that for many years American sentiment has been overwhelmingly against Chinese immigration to this country.

Canada has had similar trouble with the inhabitants of the East Indies, who have sought to find an abiding place in the domain of that country, and the effort has resulted not only in vigorous opposition but in bloodshed.

I am not in favor of the immigration into this country of men differing racially in such wise as that it is practically impossible, and, of course, highly improbable, that they shall ever merge themselves into a composite nationality.

Now, if the Senator asks me to draw the line between those races with whom we can not assimilate and those races with whom we can assimilate, he asks me a very difficult question; but, broadly speaking, the fundamental constitutional differences, intellectual and physical, between the Asiatic races, the African races, and the Caucasian races are such that I wish we could by some means and at some time, without giving too great offense to other nations, limit all immigration into this country to members of the Caucasian race and exclude all others—or, perhaps I should say, to the white race—so as to distinguish it from the black and from the yellow races—not because I have any prejudice of a personal character that forbids me getting along with people of those races in a way, but because, nationally speaking, I believe that the intrusion of those races into America will constitute, if it does not already constitute, one of the gravest dangers that menace our future. Hence, so far as the racial question is concerned, I think it is fundamentally different from the religious or political question; and of course that makes it necessary that I should also limit my contention that this country should continue to be the refuge of those who flee from religious and political persecution by insisting that it should be the refuge of the white race, as distinguished from the Asiatic and the African races, who are the victims of such persecution.

Mr. SMITH of South Carolina. Mr. President, as it is probable that this will be the only time that the clause involving the question of the Russian Jew will come up, I wish to state that not only do the characteristics of the Hebrew race as we know them here—their thrift, their economy, and their general love of learning—appeal to us, but in looking over some tables I have here I think it becomes apparent that the proposed literacy test, even if Jewish immigrants are unable to establish that their coming is solely upon grounds of religious persecution, will not operate against them. The tables referred to show that they have a better chance than any other immigrants seeking admission to our shores, and constitute a splendid testimonial to the Jewish love for intellectual development.

The tables furnished by the Bureau of Immigration show that for the Austrian nation at large the per cent of illiteracy amongst those over 10 years of age is 22.6. Another table shows the per cent of illiteracy among the different races in that country, and I find that among the Hebrews in Austria the per cent of illiteracy is only 11.4. In Hungary the national illiteracy amongst those over 10 years of age is 40.9 per cent, while for the Hebrews of Hungary it is 3.5 per cent. That very marked difference runs all through, until I come to Russia; and I wish to call attention to the fact that even there, under all the adverse circumstances that surround them, or which are alleged to surround them, the Hebrew race compares very favorably with others as to intellectual development. For the Russian Empire, including Finland, the per cent of illiteracy is 70, while the per cent among the Hebrews is 40.

Mr. REED. From what figures is the Senator reading?

Mr. SMITH of South Carolina. I am reading from tables recently compiled and furnished to the committee by the Bureau of Immigration. They are brought up to date.

Therefore in this country there is no antipathy, racial, social, political, or otherwise, toward the Jew. I think the best specimen of manhood, from the standpoint of moral and mental integrity and every other standpoint, that I ever knew in my life was Altamont Moses, of Sumter, who was a colleague of mine in the legislature; a man who loved the right and lived it, and from whom it emanated—the highest type of American citizenship. Take the Hebrews as a class in this country, and in every department of industrial, social, and political life they will rank with any citizens we have. Therefore it can not be said that the committee has attempted in any way to restrict the immigration of the Jew. We have attempted to bring this bill in conformity with our treaties and conventions and at the same time, so far as possible, to preserve the integrity and the highest possible scale of citizenship here.

At the proper time, when we have proceeded further along, I propose to give the Senate the benefit of what research I have been able to make explanatory of the contested phases of this bill. In my opinion the measure is the result of as honest and as impartial work as was ever done in the execution of the duties of a committee. We have tried to restrict immigration

because we thought the time had arrived when there should be some restriction.

I have before me a table—to which at another time I shall refer more particularly—which shows that from 1900 to 1910 the increase in population in this country, in round numbers, was 15,000,000. During that period there were 5,000,000 people who came to our shores as immigrants. The children of foreign-born parents were 3,000,000. The children of parents one of whom was foreign born were 2,000,000. So the native born were only 5,000,000. Two-thirds of the increase in a decade was either directly foreign by importation or born of parents born in foreign countries. Therefore we have now arrived at the point where every legitimate method of exclusion has to be exercised, or it will be a question not of our assimilating our immigration but of our immigration assimilating us. Already some of the States of this Union are face to face with the question whether they are American or foreign. Already the powerful influence of the foreigner is putting its hand upon the political thought and movement of this country. It is entering into the domain of our commercial life and influencing that.

As a nation of people we are proud of the fact that from northern Europe the spirit that has characterized America since it became distinctly America was inherited from those who resisted the encroachments upon the sovereignty of the individual and came here to set up a government according to their own ideals. I think we, the sons of those men, would be derelict in our duty if, after having achieved that for which our fathers fought and labored, we should swing wide open the door to those who by race, heredity, and their very mental and moral constitution can not have the ideals that we have, can not have the motives that actuate us, and, from a morbid sentiment or worse, jeopardize those who by blood and inheritance and association have built this country to what it is, and allow them to be submerged by an avalanche of those who, when they come, have preconceived notions, ideas, habits, and thoughts that may not be properly regulated.

Referring to the table from which I quoted a moment ago, 10,000,000 were either directly foreign born or had parents of foreign birth. Take the 5,000,000 immigrants that come in—they come here as adults, 80 per cent of them. As a matter of course, having arrived at maturity they begin or continue the increase of their families, while the 5,000,000 of native born have to go a period of years to maturity, an average, perhaps, of 20 or 21 years. So in the mere matter of natural increase your native-born citizen is handicapped by the time that must elapse from infancy to maturity, while your imported citizen is already a matured member of a family, the head of a family. Therefore the number of native-born Americans is measured exactly by the number of adults imported, and, referring to the matter of the natural increase you would not have two to one. The ratio in that respect would go *pari passu*. You would have, in the course of a few years, an absorption of the native-born American, preempting him in every field of endeavor, and modifying and influencing every institution of this country.

In place of the antagonism that seems to exist on this floor to certain tests that we have thought out and worked out in order to let in the best, if forsooth we must let in any, in place of having an antagonism to restricting the importation of immigrants, I think the committee has a right to appeal to the patriotism and moral and mental support of this entire body. There is something in this country that is of more value to us than rapid material advances and the bringing to wealth producing of our resources, and that is the maintenance of the standard of our citizenship.

Some Senator on this floor said the other day that after years of experience he believed that the progressive process has to come from the bottom up, and not from the top down. I think we have enough evidences of that for it to be axiomatic. We can not be charged with being inhuman; we would be unhuman if we did not seek to preserve the moral, intellectual, and political standard that characterizes this country. I have a right to protect my family against contact and association with those who I believe do not tend to perpetuate the ideals that have been inculcated in them and in their forebears.

We may have undeveloped mines and fields and forests. Better let them lie fallow and undeveloped, and await the natural increase of the natural Americans, than rush to individual and personal wealth at the jeopardy of our Government and her institutions.

It is along this line that the committee has worked. It is no argument to stand here and say that the fathers of us all were immigrants. Tables are before me here to show that the spirit that characterized those who laid the foundations of this Government is asserting itself even in this question of immigration. Since the flood tide started from southern Europe and the coun-

tries grouped in that political division, northern European immigration has shrunk to insignificance. The Norwegian, the Englishman, the Frenchman, the German is not going to come in contact and competition for a livelihood with those who, he knows by contact with them in his own country, are preempting the ground in America. So, in order to get the best immigrants, we have to prescribe the test that characterizes the best people. If education is not an essential for good citizenship, if it is not a test, we have been guilty, as the Senator from Oklahoma suggests, of a great deal of waste.

I took occasion to cite the condition of the Jew, so far as education is concerned, in the different countries from which he came. Even in Russia, under all the terrible conditions he has to suffer, in spite of the lurid pictures that have been painted, which perhaps are true, the national illiteracy is 70 per cent, the Jewish illiteracy 40 per cent. Even under those conditions he has struggled to a point where he has lowered the percentage of his illiteracy 30 per cent below that which characterizes the nation as a whole.

Mr. POMERENE. Mr. President, does the national illiteracy in Russia include the Jews?

Mr. SMITH of South Carolina. It includes the Jews; yes.

Mr. POMERENE. So, excluding the Jews, the percentage of illiteracy would be larger than 70 per cent?

Mr. SMITH of South Carolina. Oh, to be sure. The Jew lowers it to 70 per cent. In Hungary the national illiteracy is 40 per cent; the illiteracy of the Jews in that nation is 3.3 per cent.

I use that to show that where a nation is inspired, as every nation should be in this day of transportation and communication and elbow touch with the world, with an intimate knowledge, by hearsay if not by ability to read, of that which characterizes all which is best and highest and how obtained, under the most adverse circumstances the Jew has kept pace with the progress of the world in that essential particular. I do not believe this country is called upon to furnish a free-school system for the nations of the earth where they have the opportunity, with cheap printing and cheap travel, to better their own condition at home.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. SMITH of South Carolina. I do.

Mr. THOMAS. I think the illiteracy of the Jew in Russia is due entirely to the prohibitory processes of unfriendly Russian legislation and practices; and that the discrepancy which is shown by these tables between the intellectual progress of the Jew in Hungary and other countries and the Jew in Russia would long ago have disappeared, and in fact would never have existed if it had not been for the racial and religious persecution to which the Jew has been subjected in that despotic country.

Mr. SMITH of South Carolina. Judging from the logic of these tables, I think, as a matter of course, that conclusion is correct.

Mr. President, this bill has so appealed to the country at large, regardless of party affiliation, regardless of any question of party, that at its last introduction it passed the House and it passed the Senate. It was vetoed, and to the honor and credit of this patriotic body it was passed over that veto, and failed by only a few votes in the House. I predict that it will pass this body, as it has already passed the House, by an overwhelming majority. In view of all the startling figures that can be and will be read on this floor to prove that our civilization and our institutions are being jeopardized, I should hate to be the one who would dare deny the right of the American Congress to protect America in Americanism.

Mr. STONE. Mr. President, a moment ago I asked the Senator from Colorado [Mr. THOMAS] what his opinion is with respect to excepting from the operation of that provision of the bill now under consideration people who have been persecuted for racial reasons as well as excepting those who have been persecuted for religious or political reasons, and his answer was clear and lucid, as whatever the Senator says invariably is. I apprehend, however, from what he said, that he did not quite catch the full import of my question with its qualifications. What I asked was to know if any reason occurred to the mind of the Senator why an immigrant who had been persecuted for racial reasons should not be admitted equally with immigrants who had been persecuted for religious or political reasons, provided the immigrant was not otherwise subject to exclusion for special reasons outside and independent of the provisions of this bill. For example, Chinese are now excluded by virtue of our public policy, crystallized into law. A Chinaman might be persecuted for racial reasons, but he would be excluded as an immigrant to this country specifically because he is of the Chinese

race. In like manner the people of any other particular race could be excluded from our citizenship by a direct enactment for that purpose, or any class of people could be specifically excluded for any reason we may care to act upon. But there is no intention on the part of any to exclude the Jews from emigrating to the United States because of their race. It never has been and is not now our policy to apply any test of that kind to the Hebrew people, the Jewish race. Now, with this qualification, I would like the opinion of the Senator from Colorado or the Senator from South Carolina [Mr. SMITH] as to whether there is any greater or better reason for admitting immigrants, whether illiterate or not, if they are fleeing from religious or political persecutions than for admitting those who are fleeing from a purely racial persecution.

The Senator from South Carolina stated a moment ago, and he was very emphatic in his views, that the persecution of the Jews in at least one of the chief countries of Europe is because of racial prejudices and that it had nothing to do with the religious convictions or practices of those people. If that be the fact, and if they suffer humiliations and discriminations, and if they are denied rights that obtain generally among their fellow countrymen solely because they are Jews, in a racial and not in a religious sense, then a Jew could not avail himself of the exception in the text of the bill, which relates only to religious persecution. I will ask the chairman of the committee whether an illiterate Jew could be admitted under the exception in the bill as it now stands upon the ground that he was persecuted because of his religion when, in fact, he would only be able to show that he was persecuted solely because of his race? Manifestly he could not, if the position taken by the Senator from South Carolina is correct. If he is not persecuted solely because of his religion, then he can not invoke the protection of the exception as it now stands in the bill. So I again propound the question whether a man, otherwise qualified, ought not to come under the shelter of an exception like that now in the bill, if he is persecuted for the reason that he belongs to a particular race of human beings.

I think the word "racial" ought to be added to the pending amendment. We could at this time, even in this bill if we wish, escape the danger the Senator from Colorado apprehends with reference to the Asiatic races or any other undesirable people whom we do not wish to enter into our political life because of the race to which they belong by appropriate legislation to that end.

Mr. President, I hold a letter in my hand from Mr. Louis Marshall, of New York, an eminent lawyer of that city and one of the foremost Jews of this country, which I intended to have read; but the Senator from Colorado, seeing the letter, informs me that he has already had it read in the hearing of the Senate. If Senators paid attention to what Mr. Marshall says in this letter, they will agree that the reasons he urges for the amendment now pending are very strong, if not wholly convincing.

Mr. President, I came into the Senate while this particular matter was under discussion. I do not know, therefore, whether the Senator from South Carolina and his committee are opposed to the amendment now pending. The Senator now informs me in undertone that they do oppose it. Mr. President, I have great respect for this committee and for its chairman. The committee is composed of capable and conscientious men, and I have no doubt that they have endeavored to present a measure representing the best thought of which they are capable; but with all due respect, I can not see why a man who can not meet the literacy test should be permitted to come in because he has been made a victim of religious persecution in his native land, and yet in the case of another man who has perhaps been made the victim of even a harsher persecution for political reasons, should be excluded; nor can I understand, along the same line of reasoning, why one who has been persecuted solely because of the race he belongs to should be excluded.

Mr. President, there are numerous instances in history where men have arisen in some organized form and fought battles for the sake of liberty and for the enjoyment of larger rights and privileges, even imperiling their lives in the struggle. Such uprisings have been overcome by the organized power of Governments, and these men and even their children have been persecuted, many being compelled to flee for their lives. They have been stripped of their possessions, they have been ostracized, discriminated against, disfranchised, and even deprived of liberty. That is political persecution. Political persecution always obtains when men are denied the prerogatives that free-men and lovers of liberty have their hearts forever set upon. If a man, although an humble follower, has fought a battle of this kind, he fought for mankind against governmental

tyranny, and when such a man comes to our shores seeking an asylum and higher and better opportunities and is denied entrance and our doors are shut in his face solely because he happens to be illiterate, I feel that this Nation of ours would by that act slap liberty and human hope in the face. What better reason has an illiterate who is persecuted because of his religious faith to enter our doors than such a man as I have described? That sort of thing does not appeal to me. A Jew may come and be able to show satisfactorily that he has been persecuted because he is a Jew, because he belongs to that race, and that he has been denied the right to engage in professions, denied the right to teach, that his children have been denied the right to enter the public schools of his country, that he has been despoiled of his property and, it may be, thrown into prison—all this because he is a Jew; not because of his religion, but because of his race, and he would be shut out. If only he could show that these persecutions were because of his religion, not of his race, he would be admitted. A distinction and a discrimination of that nature is beyond me.

Mr. President, I believe that is all I care to say on this subject at this time. I may have something further to say along the same line later on.

All that I have said is without reference to the literacy test itself in its general application. I have been addressing myself to the question of exceptions to that test. I desire later to submit my views upon the literacy test itself in its larger aspects. I would prefer, however, to do that on some other day that would be agreeable to the Senator from South Carolina, who is directing the bill upon the floor.

Mr. SMITH of South Carolina. We are not really on the discussion of the literacy test *per se*. It came up incidentally in this discussion. As the hour is getting late, I had thought of asking to have a day certain fixed for a vote, such time to be fixed as would give ample opportunity to Senators to discuss this or any other part of the bill that they may deem worthy of serious consideration.

Mr. STONE. I have been so occupied with other matters that I have not been present during the day while this measure has been under consideration, and if it has not been done I desire to offer an amendment to that particular part of the bill and address myself to it and have a vote upon it. Of course when that is acted upon my chief interest, so far as any exceptions to the bill go, will have been disposed of.

Mr. SMITH of South Carolina. I assure the Senator that so far as the committee is concerned he will be given an ample opportunity to introduce that amendment. As the bill is now in Committee of the Whole, and it will be in the Senate before it is disposed of, he will have ample opportunity to introduce the amendment and to speak to it.

I had hoped this afternoon that we might be able to fix a day for voting, but under the new rule such an agreement would require the presence of a quorum. I want to give notice now that to-morrow, between the conclusion of the morning business and the time set aside for the memorial exercises, as already indicated on the calendar, I shall endeavor by unanimous consent to fix a day for the final disposition of the bill, for the reason that I think all Senators are practically acquainted with the vital features of the bill; and in fixing the time, I, of course, will have due regard to a full discussion of the vital points, one of which has been indicated by the Senator from Missouri [Mr. STONE]. As we have now come to what is the real heart of the measure—the proposed amendment to the literacy test—I ask that the unfinished business be temporarily laid aside.

Mr. WILLIAMS. Before the Senator makes that request, I want to give notice of an amendment that I propose to offer and have pending. Between the word "persecution," on line 12, page 9, and the semicolon following it I propose to insert the following:

Or for five years after the passage of this act, because of the military conquest of their country.

Cases are imaginable where a country without any act of its own has been dragged into war, invaded and overrun, its cities destroyed, its industries ruined, itself depopulated, its people fugitives, and where a man must either remain away or go back and take an oath of allegiance to a foreign power which has overrun the country without any cause of war, merely for military or strategical purposes. I think if there be such cases, and such cases are easily imaginable, the door of the United States ought to be thrown wide open to those persons, regardless of the literacy test. So I shall offer that amendment. I ask the Secretary to take it down. Between the word "persecution" and the semicolon, line 12, page 9, insert "or for five years after the passage of this act, because of the military conquest of their country."

Mr. SMITH of South Carolina. Now, Mr. President, I ask that the unfinished business be temporarily laid aside.

The VICE PRESIDENT. Without objection, it will continue as the unfinished business to-morrow. The Chair lays before the Senate a bill from the House of Representatives.

HOUSE BILL REFERRED.

H. R. 19545. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, was read twice by its title and referred to the Committee on Pensions.

HOLIDAY RECESS.

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution of the House of Representatives, which will be read.

The Secretary read the concurrent resolution (No. 55), as follows:

Resolved by the House of Representatives (the Senate concurring). That when the two Houses adjourn December 23, 1914, they stand adjourned until 12 o'clock m. on Tuesday, December 29, 1914.

Mr. KERN. I ask that the Senate concur in the resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

EXECUTIVE SESSION.

Mr. STONE. If there is nothing more that is pressing in legislative session, I ask that the Senate proceed to the consideration of executive business for a short session. I make that motion.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 17, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 16, 1914.

COLLECTOR OF INTERNAL REVENUE.

Edgar M. Harber, of Trenton, Mo., to be collector of internal revenue for the sixth district of Missouri, in place of Charles G. Burton, resigned.

UNITED STATES MARSHAL.

John Hugh Kirkpatrick, of Homer, La., to be United States marshal for the western district of Louisiana, vice Ben Ingouf, whose term has expired.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

Lieut. Col. Joseph T. Dickman, Second Cavalry, to be colonel from December 14, 1914, vice Col. Walter L. Finley, unassigned, who died December 13, 1914.

Maj. Robert E. L. Michie, Cavalry, unassigned, to be lieutenant colonel from December 14, 1914, vice Lieut. Col. Joseph T. Dickman, Second Cavalry, promoted.

Capt. John O'Shea, Fourth Cavalry, to be major from December 14, 1914, vice Maj. Sedgwick Rice, Third Cavalry, detached from his proper command.

First Lieut. Walter J. Scott, Sixth Cavalry, to be captain from December 14, 1914, vice Capt. John O'Shea, Fourth Cavalry, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 16, 1914.

SECRETARY OF LEGATION.

Charles Campbell, Jr., to be secretary of the legation at Berne, Switzerland.

COLLECTOR OF CUSTOMS.

Herbert C. Comings to be collector of customs for customs collection district No. 2.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieut. of Engineers Harry Lansdale Boyd to be senior engineer.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 16, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal and ever-living God, Spirit of our spirits, Father of our souls, whose mercies are from everlasting to everlasting, the riches of whose blessings are above our comprehension, we praise and magnify Thy holy name, and especially do we thank Thee for those rich and varied endowments of mind and soul which enable us to contemplate the majesty of Thy glory and the beauty of holiness. Help us, we beseech Thee, to develop these endowments unto the perfected manhood, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOOR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, in order to expedite the passage of the appropriation bills, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is there any possibility of having some understanding whereby unanimous-consent day—next Monday—can be put over until after the Christmas recess, so as to bring up the prohibition amendment for consideration on Monday, and thus permit Members living in the Mississippi Valley to get home in time to enjoy their Christmas Day?

Mr. UNDERWOOD. I will say to the gentleman that I think the Unanimous Consent Calendar is the calendar in which more Members of the House are interested than any other calendar in the House, and I would not like to ask unanimous consent to dispense with it or put it off until after Christmas. If it is agreeable to the House, I would be perfectly willing to have an order made to swap Monday for Tuesday and Tuesday for Monday. If that would be satisfactory to gentlemen on this side, I will ask the gentleman from Illinois [Mr. MANN] if it would be satisfactory to him?

Mr. STAFFORD. I think that will be satisfactory to a great number of Members, some of whom live as far away as Texas.

Mr. ADAMSON. I do not see how you can make anything by that swap.

Mr. STAFFORD. Why can not the unanimous-consent day be swapped for Saturday of this week or next Tuesday?

Mr. UNDERWOOD. I do not think it could be Saturday of this week, because we have appropriation bills to dispose of. But if there are no objections from other sources, I have no objection to swapping Monday for Tuesday or Tuesday for Monday.

Mr. ADAMSON. I shall have to object.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. UNDERWOOD] that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning?

Mr. STAFFORD. I object for the time being.

The SPEAKER. Objection is made.

CHANGE OF REFERENCE.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the reference of the bill (S. 6689) making appropriations for the arrest and eradication of the foot-and-mouth disease be changed from the Committee on Agriculture to the Committee on Appropriations. On its face it provides for a deficiency.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that a change of reference be made of Senate bill 6689 from the Committee on Agriculture to the Committee on Appropriations, it being a deficiency appropriation. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from New York if this is the bill that proposes to make an appropriation for the foot-and-mouth disease?

Mr. FITZGERALD. Yes; a larger sum of money is said to be needed than is carried in the current agricultural bill.

Mr. GARNER. Reserving the right to object, Mr. Speaker, I want to ask the gentleman if he thinks the Senate, under his construction of the Constitution, has the right to initiate an appropriation of this kind?